

# **STATE PERSONNEL BOARD CALENDAR**



**JANUARY 9, 2007**

**SACRAMENTO**

**State of California**

**Memorandum**

**DATE:** December 29, 2006

**TO:** ALL INTERESTED PARTIES

**FROM:** STATE PERSONNEL BOARD – Executive Office

**SUBJECT:** Notice and Agenda for the **January 9, 2007**, meeting of the State Personnel Board.

PLEASE TAKE NOTICE that on January 9, 2007, at offices of the State Personnel Board, located at 801 Capitol Mall, Room 150, Sacramento, California, the State Personnel Board will hold its regularly scheduled meeting. Pursuant to Government Code section 11123, a teleconference location may be conducted for this meeting at 320 W. 4<sup>th</sup> Street, Los Angeles, California.

The attached Agenda provides a brief description of each item to be considered and lists the date and approximate time for discussion of the item.

Also noted is whether the item will be considered in closed or public session. Closed sessions are closed to members of the public. All discussions held in public sessions are open to those interested in attending. Interested members of the public who wish to address the Board on a public session item may request the opportunity to do so.

Should you wish to obtain a copy of any of the items considered in the public sessions for the January 9, 2007, meeting, please contact staff in the Secretariat's Office, State Personnel Board, 801 Capitol Mall, MS 52, Sacramento, California 95814 or by calling (916) 653-0429 or TDD (916) 654-2360, or the Internet at:

**<http://www.spb.ca.gov/calendar.htm>**

Should you have any questions regarding this Notice and Agenda, please contact staff in the Secretariat's Office at the address or telephone numbers above.

A handwritten signature in black ink, appearing to read 'Karen Yu', with a stylized flourish at the end.

Karen Yu  
Secretariat's Office

Attachment



## **CALIFORNIA STATE PERSONNEL BOARD MEETING<sup>1</sup>**

801 Capitol Mall  
Sacramento, California

Public Session Location – 801 Capitol Mall  
Sacramento, California, Room 150  
Teleconference – 320 West 4<sup>th</sup> Street<sup>2</sup>  
Los Angeles, California, Suite 620

Closed Session Location – 801 Capitol Mall  
Sacramento, California, Room 141  
Teleconference – 320 West 4<sup>th</sup> Street  
Los Angeles, California Suite 620

### **FULL BOARD MEETING – JANUARY 9, 2007**

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<sup>1</sup> Sign Language Interpreter will be provided for Board Meeting upon request - contact Secretariat at (916) 653-0429, or CALNET 453-0429, TDD (916) 654-2360.

<sup>2</sup> Pursuant to Government Code section 11123, a teleconference location may be conducted for this meeting at 320 West 4<sup>th</sup> Street, Los Angeles, California.

**FULL BOARD MEETING AGENDA<sup>3</sup>**

**JANUARY 9, 2007**  
9:00 a.m. – 2:45 p.m.  
(or upon completion of business)

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND ARE SUBJECT TO CHANGE

**PUBLIC SESSION OF THE STATE PERSONNEL BOARD**

**(9:00 a.m. – 9:45 a.m.)**

- 1. ROLL CALL**
- 2. REPORT OF THE EXECUTIVE OFFICER – Floyd D. Shimomura**
- 3. REPORT OF THE DEPARTMENT OF PERSONNEL ADMINISTRATION (DPA)  
– DPA Representatives**
- 4. REPORT OF THE CHIEF COUNSEL – Elise Rose**
- 5. NEW BUSINESS**

Items may be raised by Board Members for scheduling and discussion for future meetings.

- 6. REPORT ON LEGISLATION – Sherry Evans**

The Board may be asked to adopt a position with respect to the bills listed on the legislation memorandum attached hereto.

- 7. ELECTION OF BOARD OFFICERS**

In accordance with Article VII, Section 2(b), the five-member Personnel Board (Board) will elect one of its members as presiding officer, to serve as the President for the calendar year 2007.

The Board will also elect a Vice President.

Additionally, in accordance with Government Code Section 20090 the Board will select one of its members to serve as their representative to the Public Employees' Retirement Board.

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<sup>3</sup> The Agenda for the Board Meetings can be obtained at the following internet address:  
<http://www.spb.ca.gov/calendar.htm>

**(9:45 a.m. – 10:30 a.m.)**

8. **HEARING – PUBLIC HEARING ON PROPOSED COST SAVINGS REGULATIONS UNDER GOVERNMENT CODE SECTION 19130, SUBDIVISION (A)**  
– Bruce Monfross, State Personnel Board

**(10:30 a.m. – 11:00 a.m.)**

9. **ORAL ARGUMENT**

In the matter of **PERSONAL SERVICES CONTRACT #06-02**. Appeal of AFSCME from Executive Officer Decision Approving Department of Corrections and Rehabilitation. Personal Services Contracts for Psychological Services.

**(11:00 a.m. – 11:15 a.m.)**

**BREAK**

**PUBLIC SESSION OF THE STATE PERSONNEL BOARD**

**(11:15 a.m. – 11:45 a.m.)**

10. **ORAL ARGUMENT**

In the matter of **PERSONAL SERVICES CONTRACT #06-04**. Appeal of California Air Resources Board from Executive Officer Decision Disapproving Personal Services Contract for Hearing. Reporter Transcription Services. SEIU Local 1000.

**(11:45 a.m. – 12:00 p.m.)**

11. **NEW EMPLOYEE ORIENTATION – State Personnel Board Staff**

Introduction of new State Personnel Board Employees.

**(12:00 p.m. – 1:00 p.m.)**

**LUNCH**

**PUBLIC SESSION OF THE STATE PERSONNEL BOARD**

**(1:00 p.m. – 1:15 p.m.)**

12. **INFORMATIONAL UPDATE – AVIAN FLU AND PANDEMIC FLU, STATUS AND PREPARATIONS**  
– Dr. Stephen Weyers, State Personnel Board

**(1:15 p.m. – 1:30 p.m.)**

13. **PROPOSED BOARD ITEM TO REVISE CLASSIFICATION PRESENTED BY DEPARTMENTAL STAFF**

At the request of the Executive Officer, the following classification request has been placed on the calendar for the board's consideration:

FINANCE PROGRAM EVALUATOR, DEPARTMENT OF FINANCE

**CLOSED SESSION OF THE STATE PERSONNEL BOARD**

**(1:30 p.m. – 2:15 p.m.)**

14. **EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, AND OTHER APPEALS**

Deliberations to consider matter submitted at prior hearing.  
[Government Code Sections 11126(d), 18653.]

15. **DELIBERATION ON ADVERSE ACTIONS, DISCRIMINATION COMPLAINTS, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES**

Deliberations on matters submitted at prior hearing; on proposed, rejected, remanded, and submitted decisions; petitions for rehearing; and other matters related to cases heard by administrative law judges of the State Personnel Board or by the Board itself. [Government Code Sections 11126 (d), and 18653 (2).]

16. **PENDING LITIGATION**

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.  
[Government Code sections 11126(e)(1) and 18653.]

International Union of Operating Engineers v. State Personnel Board,  
Public Employment Relations Board (PERB) Case No. SA-CE-1295-S.

Patrick McCollum v. State of California  
United States District Court, Northern District of California  
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.  
Case No. C01-1351 TEH

**17. RECOMMENDATIONS TO THE LEGISLATURE**

Deliberations on recommendations to the legislature.  
[Government Code section 18653.]

**18. RECOMMENDATIONS TO THE GOVERNOR**

Deliberations on recommendations to the Governor.  
[Government Code section 18653.]

**PUBLIC SESSION OF THE STATE PERSONNEL BOARD**

**(2:15 p.m. – Onwards)**

**19. DISCUSSION OF UPCOMING BOARD MEETING SCHEDULE OF  
JANUARY 23, 2007, IN SACRAMENTO, CALIFORNIA**

**BOARD ACTIONS:**

**20. ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY MINUTES OF  
DECEMBER 5, 2006**

**21. EVIDENTIARY CASES - (See Case Listings on Pages 13–20)**

**22. RESOLUTION EXTENDING TIME UNDER GOVERNMENT CODE  
SECTION 18671.1 EXTENSION - (See Agenda on Pages 27–28)**

**23. NON-EVIDENTIARY CASES - (See Case Listings on Pages 21–23)**

**24. NON-HEARING CALENDAR**

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing.

Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code section 18500 et seq.) and Article VII, California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute.

**A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.**

**TAX AUDITOR, EMPLOYMENT DEVELOPMENT DEPARTMENT**

The Employment Development Department (EDD) proposes the establishment of the Tax Auditor, EDD deep class with a one-year probationary period. In conjunction, EDD proposes the following: the establishment of Alternative Range Criteria 446; abolish the classification of Tax Auditor II, EDD; change the existing title of Tax Auditor III, EDD, to Associate Tax Auditor, EDD; change the existing title of Tax Auditor IV, EDD to Staff Tax Auditor, EDD; reallocate affected incumbents; and revise the Tax Auditor/Tax Supervisor, EDD series specification to reflect the classification changes noted above and to update the terminology used in the specification.

**INTEGRATED WASTE MANAGEMENT SPECIALIST**

The California Integrated Waste Management Board (CIWMB) requests to add a new classification titled, Integrated Waste Program Manager, to the existing Integrated Waste Management Specialist classification series, to recognize the managerial responsibilities within the series.

**SENIOR MECHANICAL ENGINEER, CALTRANS (SPECIALIST)  
SENIOR MECHANICAL ENGINEER, CALTRANS (SUPERVISOR)**

The California Department of Transportation (Caltrans) proposes to broaden the current minimum qualifications for the classes of Senior Mechanical Engineer, Caltrans (Specialist) and Senior Mechanical Engineer, Caltrans (Supervisor) by including the class of Mechanical Engineer, Range D, which will allow departmental employees in the class of Mechanical Engineer to compete in the examinations for the above mentioned classes.

**ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW**

As recommended by the court appointed Special Master, as a result of a federal district court decision (Madrid v. Tilton), the Office of Inspector General (OIG) and the Department of Personnel Administration (DPA) propose the establishment of a new civil service class series titled Assistant Inspector General, Bureau of Independent Review (BIR) consisting of the following classes: Special Assistant Inspector General, Bureau of Independent Review; Senior Assistant Inspector General, Bureau of Independent Review; and Chief Assistant Inspector General, Bureau of Independent Review; each class established with a twelve month probation period.

**B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

**THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND STATE PERSONNEL BOARD** propose to abolish the following unused classifications, which have been vacant for more than twenty-four months. Departments that utilize the class as well as the appropriate union have no objection to the abolishment of these classes. When classes are proposed to be abolished which are part of a class series, and other classes within the series will continue to be used, the class specification is included in the board item.

**NONE**

**25. STAFF CALENDAR ITEMS FOR BOARD INFORMATION**

**NONE**

**26. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY**

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions.

The first section lists position actions that have been proposed and are currently under consideration.

Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Merit Employment and Technical Resources Division of the State Personnel Board, and the department proposing the action.

To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication.

In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and the State Personnel Board approves it, the action becomes effective without further action by the Board.

The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

**A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION**

**DEPUTY DIRECTOR, STATEWIDE MENTAL HEALTH PROGRAM**

The California Department of Corrections and Rehabilitation proposes to re-allocate the existing CEA position titled Project Director, Mental Health Program to the above titled position. The proposed re-allocated CEA position Deputy Director, Statewide Mental Health Program will be responsible for working and complying with litigation mandates, specifically *Coleman vs. Schwarzenegger*, which directly impacts the quality and accessibility of mental health and other health services available to adult inmates under the jurisdiction of the CDCR.

**ASSISTANT SECRETARY, CALIFORNIA CHILD WELFARE COUNCIL, OFFICE OF PROGRAM AND FISCAL AFFAIRS**

The California Health and Human Services Agency proposes to allocate the above position to the CEA category. The Assistant Secretary, California Child Welfare Council, Office of Program and Fiscal Affairs formulates, analyzes, revises, interprets, and evaluates public child welfare program and fiscal policies and coordinates and supports the activities of the California Child Welfare Council.

**CHIEF, OFFICE OF PERFORMANCE IMPROVEMENT AND LONG TERM PLANNING**

The Department of Toxic Substance Control proposes to allocate the above position to the CEA category. The Chief, Office of Performance Improvement and Long Term Planning will have a major role in establishing departmental policy, and influencing statutes and regulations that will affect environmental issues in business and industry throughout the state.

**CHIEF, PHARMACY BENEFITS DIVISION**

The Department of Health Services proposes to allocate the above position to the CEA category. The Chief, Pharmacy Benefits Division is responsible for initiating, developing and implementing all pharmacy, medical supply, and nutritional benefit fee-for-services program policies and procedures that are based upon state and federal statutes and regulations.

**CHIEF, THIRD PARTY LIABILITY AND RECOVERY DIVISION**

The Department of Health Services proposes to allocate the above position to the CEA category. The Chief, Third Party Liability and Recovery Division is responsible for developing, planning, organizing, implementing, and managing innovative recovery and cost avoidance mechanisms that are efficient and cost effective while still providing health care access for all Medi-Cal beneficiaries.

**DEPUTY DIRECTOR, EXTERNAL AFFAIRS**

The Board of Equalization is proposing to re-allocate the existing CEA allocation titled Customer and Taxpayer Services Division to the above position. The Deputy Director, External Affairs will have full responsibility for identifying major program developments and policy changes for public policy implication and possible media exposure; and recommends and formulates policies concerning information disseminated outside of the Agency.

**ASSOCIATE DIRECTOR, ACCOUNTING SERVICES, DIVISION OF SUPPORT SERVICES (DSS)**

The California Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Associate Director, Accounting Services, Division of Support Services will serve as the department's head of all accounting operations and will set major financial operational policy.

**CHIEF, OFFICE OF CIVIL RIGHTS AND RETURN TO WORK**

The Department of Industrial Relations proposes to allocate the above position to the CEA category. The Chief of the Office of Civil Rights and Return to Work, managed the unit and provides counsel and policy advise in the areas of ADA, Reasonable Accommodation, EEO, Discrimination, Harassment, Return to Work, and medical privacy.

**DIVISION CHIEF, TALENT MANAGEMENT DIVISION**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Talent Management Division, will provide full management responsibility over human resources, training and development, performance management, diversity enrichment, and strategic planning, event planning, and health and safety.

**DIRECTOR, FACILITIES MANAGEMENT, PLANNING AND SERVICES**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Facilities Management, Planning and Services oversees the administration and development of the facilities of CalSTRS, a \$153 billion pension fund employing approximately 1,000 staff and contractors serving over 800,000 active and retired members.

**DIRECTOR OF CUSTOMER SERVICES**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director of Customer Services formulates and administers policies having statewide impact regarding the delivery of member services.

**DIRECTOR, DISABILITY AND SURVIVOR BENEFITS**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Disability and Survivor Benefits is responsible for policy formulation and execution impacting the statewide administration and payment of benefits for Disability and Survivor member benefits and associated services.

**DIRECTOR, MEMBER ACCOUNT SERVICES**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Member Account Services is responsible for policy formulation and execution impacting the statewide administration of active contributing members and participant accounts.

**DIRECTOR, SERVICE RETIREMENT**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Service Retirement is responsible for policy formulation and execution impacting the statewide administration and payment of benefits for active, inactive, and retired members and their beneficiaries.

**DIRECTOR, CLIENT OUTREACH AND GUIDANCE**

The State Teachers' Retirement System (CalSTRS) proposes to allocate the above position to the CEA category. The Director, Client Outreach and Guidance has full management authority over the member counseling, counselor training, and outreach efforts to CalSTRS members and employers.

**B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS**

**ASSISTANT EXECUTIVE OFFICER**

The Sierra Nevada Conservancy's proposal to allocate the above position to the CEA category has been approved effective November 28, 2006.

**DEPUTY DIRECTOR, CRIME AND VIOLENCE PREVENTION CENTER**

The Department of Justice's proposal to allocate the above position to the CEA category has been approved effective November 28, 2006.

**DEPUTY DIRECTOR, HEALTH POLICY & LEGISLATIVE AND EXTERNAL AFFAIRS**

The California Managed Risk Medical Insurance Board's proposal to allocate the above position to the CEA category has been approved effective December 14, 2006.

**CHIEF, FACILITIES OPERATION BRANCH**

The Department of Motor Vehicle's proposal to allocate the above position to the CEA category has been approved as a limited term allocation, for a period of twenty-four months, effective December 15, 2006.

**CHIEF, TECHNOLOGY OFFICER**

The Department of Social Services' proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**DEPUTY DIRECTOR, LEGAL AND LEGISLATIVE AFFAIRS**

The Office of the State Chief Information Officer's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**DEPUTY DIRECTOR, STRATEGIC PLANNING AND GOVERNANCE**

The Office of the State Chief Information Officer's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**DEPUTY DIRECTOR, STATEWIDE POLICY**

The Office of the State Chief Information Officer's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**DEPUTY DIRECTOR, ENTERPRISE INITIATIVES**

The Office of the State Chief Information Officer's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**PROGRAM MANAGER, MOTOR VEHICLE GREENHOUSE GAS EMISSION REDUCTION**

The California Air Resources Board's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**DEPUTY DIRECTOR, PLATA WORKFORCE PLANNING AND  
MANAGEMENT DEVELOPMENT, DIVISION OF CORRECTIONAL  
HEALTH CARE SERVICES (DCHCS)**

The California Department of Corrections and Rehabilitation's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**ASSISTANT SECRETARY, OFFICE OF PROGRAM AND FISCAL  
AFFAIRS**

The California Health and Human Services Agency's proposal to allocate the above position to the CEA category has been approved effective December 20, 2006.

**27. EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, & OTHER APPEALS**

Deliberations to consider matter submitted at prior hearing. [Government Code sections 11126(d), 18653.]

**28. WRITTEN STAFF REPORT FOR BOARD INFORMATION**

**29. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY**

**30. PROPOSED REGULATION: DEPARTMENT OF MOTOR VEHICLES –  
SPECIAL EXAMINATION AND APPOINTMENT PROGRAM**

AB 2903 added Government Code section 19602.5, making permanent a demonstration project adopted by the Board in December 2001 concerning the examination and selection of candidates for specified managerial and supervisory positions, subject to SPB rule. The State Personnel Board proposes to adopt a rule making this demonstration project permanent in accordance with AB 2903 and Government Code section 19602.5. The rule will continue to enable the Department of Motor Vehicles to conduct examinations for specified managerial and supervisory classes on a position-specific basis, providing for an improved recruitment and selection process and a more closely tailored applicant pool. Vote to adopt a rule making the demonstration project permanent.

Pursuant to Government Code section 18213, this rule may be adopted without public notice and comment, but shall be reasonably available to all interested parties.

**31. BOARD ACTIONS ON SUBMITTED ITEMS – (See Agenda on Pages 24–26)**

These items have been taken under submission by the State Personnel Board at a prior meeting and may be before the Board for a vote at this meeting. This list does not include evidentiary cases, as those are listed separately by category on this agenda under Evidentiary Cases.

**A D J O U R N M E N T**

## 21. EVIDENTIARY CASES

The Board Administrative Law Judges conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

### A. BOARD CASES SUBMITTED

These items have been taken under submission by the State Personnel Board at a prior meeting. Cases that are before the Board for vote will be provided under separate cover.

(1) **CASE NO. 05-1737RPA**

Appeal from dismissal

**Classification:** Psychiatric Technician Assistant

**Department:** Department of Developmental Services

Petition for Rehearing granted March 8, 2006.

Transcript prepared.

Pending oral argument July 11, 2006, Sacramento.

Oral argument heard July 11, 2006.

Case ready for decision by FULL Board.

(2) **CASE NO. 05-3030A**

Appeal from constructive demotion

**Classification:** Officer Technician

**Department:** Department of Developmental Services

Proposed decision rejected May 2, 2006.

Transcript prepared.

Pending oral argument August 8, 2006, Los Angeles.

Oral argument continued.

Pending oral argument October 31, 2006, Sacramento.

Oral argument heard October 31, 2006.

Case ready for decision by FULL Board.

(3) **CASE NO. 06-1433**

Appeal from official reprimand

**Classification:** Correctional Officer

**Department:** Department of Corrections and Rehabilitation

Proposed decision taken under submission December 5, 2006.

**(4) CASE NO. 05-1875A**

Appeal from rejection during probationary period

**Classification:** Equipment Material Specialist

**Department:** Department of Transportation

Proposed decision rejected August 8, 2006.

Transcript prepared.

Pending oral argument October 31, 2006, Los Angeles.

Oral argument heard October 31, 2006.

Case ready for decision by FULL Board.

**(5) CASE NO. 05-1567A**

Appeal from dismissal

**Classification:** Housing Finance Specialist (General)

**Department:** California Housing Finance Agency

Proposed decision rejected July 11, 2006.

Transcript prepared.

Pending oral argument October 31-November 1, 2006, San Diego.

Oral argument continued.

Pending oral argument December 5, 2006, San Francisco.

Oral argument heard December 5, 2006.

Case ready for decision by FULL Board.

**(6) CASE NO. 05-0078A**

Appeal from dismissal

**Classification:** Workers' Compensation Payroll Auditor

**Department:** State Compensation Insurance Fund

Proposed decision rejected May 23, 2006.

Transcript prepared.

Pending oral argument September 5, 2006, Sacramento.

Oral argument heard September 5, 2006.

Case ready for decision by FULL Board.

**(7) CASE NO. 06-1310**

Appeal from 14 working days suspension

**Classification:** Regional Administrator

**Department:** Department of Corrections and Rehabilitation

Proposed decision taken under submission December 5, 2006.

**(8) PSC NO. 06-03**

Appeal from Executive Officer Decision Disapproving Personal Services Contract for Unarmed Security Guard Services

**Department:** Department of California Highway Patrol

**Employee Organization:** Services Employees International Union, Local 1000 (CSEA)

Oral argument heard October 10, 2006.

Case ready for decision by FULL Board.

**B. CASES PENDING**

**ORAL ARGUMENTS**

**(1) PSC No. 06-02**

Appeal of AFSCME, Local 2620, AFL-CIO, from the Executive Officer's June 28, 2006, Approval of the Department of Corrections and Rehabilitation Personal Services Contracts for Psychological Services.

**(2) PSC No. 06-04**

Appeal of California Air Resources Board, from the Executive Officer's August 15, 2006, Disapproval of a Personal Services Contract for Hearing Reporter Transcription Services.

**C. CHIEF COUNSEL RESOLUTIONS**

**(1) CASE NO. 06-0892**

Appeal from suspension

**Classification:** Correctional Sergeant

**Department:** Department of Corrections and Rehabilitation  
Request to set-aside stipulation for settlement.

**COURT REMANDS**

This case has been remanded to the Board by the court for further Board action.

**NONE**

**STIPULATIONS**

These stipulations have been submitted to the Board for Board approval, pursuant to Government Code, section 18681.

**NONE**

**D. ADMINISTRATIVE LAW JUDGE'S (ALJ) PROPOSED DECISIONS**

**PROPOSED DECISIONS**

These are ALJ proposed decisions submitted to the Board for the first time.

- (1) CASE NO. 05-3786**  
Appeal from dismissal  
**Classification:** Staff Services Manager I  
**Department:** Department of Corrections and Rehabilitation
- (2) CASE NO. 06-0235**  
Appeal from dismissal  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- (3) CASE NO. 05-3988E**  
Denial of reasonable accommodation request  
**Classification:** Supervising Registered Nurse II  
**Department:** Department of Corrections and Rehabilitation
- (4) CASE NO. 05-1285**  
Appeal from dismissal  
**Classification:** Public Safety Dispatcher II  
**Department:** Department of California Highway Patrol
- (5) CASE NO. 06-3185**  
Appeal from dismissal  
**Classification:** Parole Agent I  
**Department:** Department of Corrections and Rehabilitation
- (6) CASE NO. 05-4259 & 05-3276E**  
Appeal from demotion and discrimination complaint  
**Classification:** Assistant Division Chief/Program Manager  
**Department:** Department of Motor Vehicles
- (7) CASE NO. 05-2327E**  
Appeal from denial of discrimination complaint  
**Classification:** Correctional Counselor II (Specialist)  
**Department:** Department of Corrections and Rehabilitation
- (8) CASE NO. 06-2790**  
Appeal from rejection during probationary period  
**Classification:** District Representative  
**Department:** Department of Housing and Community Development

- (9) **CASE NO. 06-0273**  
Appeal from 48 working day suspension  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- (10) **CASE NO. 06-2399**  
Appeal from two step reduction in salary for twelve months  
**Classification:** Correctional Sergeant  
**Department:** Department of Corrections and Rehabilitation
- (11) **CASE NO. 06-0773**  
Appeal from five percent reduction in salary for six months  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- (12) **CASE NO. 06-1573**  
Appeal from five percent reduction in salary for 6 pay periods  
**Classification:** Youth Correctional Counselor  
**Department:** Department of Corrections and Rehabilitation
- (13) **CASE NO. 06-0014**  
Appeal from dismissal  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- (14) **CASE NO. 05-1067**  
Appeal from dismissal  
**Classification:** Investigator  
**Department:** Department of Motor Vehicles
- (15) **CASE NO. 06-1526**  
Appeal from ten working day suspension  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- (16) **CASE NO. 06-0363**  
Appeal from back pay determination  
**Classification:** Business Taxes Compliance Supervisor II  
**Department:** Board of Equalization
- (17) **CASE NO. 06-0268**  
Appeal from ten working days suspension  
**Classification:** Associate Governmental Program Analyst  
**Department:** Department of Health Services.

**(18) CASE NO. 05-1501E**

Appeal from denial of retaliation complaint

**Classification:** Associate Governmental Program Analyst

**Department:** Department of Motor Vehicles

**PROPOSED DECISIONS TAKEN UNDER SUBMISSION AT PRIOR MEETING**

These are ALJ proposed decisions taken under submission at a prior Board meeting, for lack of majority vote or other reason.

**NONE**

**PROPOSED DECISIONS AFTER BOARD REMAND**

**NONE**

**PROPOSED DECISIONS AFTER SPB ARBITRATION**

**NONE**

**E. PETITIONS FOR REHEARING**

**ALJ PROPOSED DECISIONS ADOPTED BY THE BOARD**

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

**(1) CASE NO. 05-2820P**

Appeal from dismissal

**Classification:** Transportation Engineer (Civil)

**Department:** Department of Transportation

**(2) CASE NO. 06-0771P**

Appeal from five percent reduction in salary for six pay periods

**Classification:** Academic Instructor

**Department:** Department of Corrections and Rehabilitation

**WHISTLEBLOWER NOTICE OF FINDINGS**

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a Notice of Findings issued by the Executive Officer under Government Code, section 19682 et seq. and Title 2, California Code of Regulations, section 56 et seq.

**NONE**

**F. PENDING BOARD REVIEW**

These cases are pending preparation of transcripts, briefs, or the setting of oral argument before the Board.

- (1) CASE NO. 05-1007EA**  
Appeal from denial of discrimination complaint  
**Classification:** Outside contractor  
**Department:** Department of Transportation  
  
Proposed decision rejected December 19, 2006.
- (2) CASE NO. 05-0053A**  
Appeal from dismissal  
**Classification:** Park Maintenance Assistant  
**Department:** Department of Parks and Recreation  
  
Proposed decision rejected October 10, 2006.  
Transcript prepared.  
Pending oral argument February 6-7, 2007, Los Angeles.
- (3) CASE NO. 06-0760A**  
Appeal from rejection during probation  
**Classification:** Parole Agent I (Adult Parole)  
**Department:** Department of Corrections and Rehabilitation  
  
Proposed decision rejected November 14, 2006.  
Transcript prepared.  
Pending oral argument February 6-7, 2007, Los Angeles.
- (4) CASE NO. 05-2211A**  
Appeal from dismissal  
**Classification:** Senior Tax Compliance Representative  
**Department:** Employment Development Department  
  
Proposed decision rejected September 20, 2006.  
Transcript prepared.  
Pending oral argument February 6-7, 2007, Los Angeles.
- (5) CASE NO. 05-2888PA**  
Appeal from dismissal  
**Classification:** Staff Services Analyst (General)  
**Department:** Department of Consumer Affairs  
  
Petition for rehearing granted October 31, 2006.  
Transcript prepared.

- (6) **CASE NO. 05-0638A**  
Appeal from dismissal  
**Classification:** Conservationist I  
**Department:** California Conservation Corps  
  
Proposed decision rejected September 5, 2006.  
Transcript prepared.  
Pending settlement.
- (7) **CASE NO. 04-2919ERPA**  
Appeal of discrimination and retaliation  
**Classification:** Physician and Surgeon  
**Department:** Department of Corrections and Rehabilitation  
  
Petition for rehearing granted September 20, 2006.  
Transcript prepared.
- (8) **CASE NO. 05-0927BA**  
Appeal for back salary determination  
**Classification:** Correctional Sergeant  
**Department:** Department of Corrections and Rehabilitation  
  
Proposed decision rejected December 5, 2006.  
Transcript prepared.
- (9) **CASE NO. 05-4416PA**  
Appeal from 10 percent reduction in salary for 13 pay periods  
**Classification:** Medical Technical Assistant (Correctional Facility)  
**Department:** Department of Corrections and Rehabilitation  
  
Petition for rehearing granted November 14, 2006.  
Transcript prepared.
- (10) **CASE NO. 06-0392A**  
Appeal of five percent reduction in salary for 24 months  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
  
Proposed decision rejected October 31, 2006.  
Transcript prepared.

**23. NON-EVIDENTIARY CASES**

**A. WITHHOLD APPEALS**

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

**WITHHOLD FROM CERTIFICATION**  
**CASES HEARD BY A STAFF HEARING OFFICER**

**NONE**

**WITHHOLD FROM CERTIFICATION**  
**CASES NOT HEARD BY A STAFF HEARING OFFICER**

- (1) CASE NO. 05-3634**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; failed to submit requested documents.
- (2) CASE NO. 05-0394N**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; a negative employment record.
- (3) CASE NO. 05-4159**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; pending criminal prosecution.
- (4) CASE NO. 05-3638**  
**Classification:** CHP Cadet  
**Department:** California Highway Patrol  
**Issue:** Suitability; omitted pertinent information.
- (5) CASE NO. 05-2168**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; omitted pertinent information and furnished inaccurate information during the selection process.
- (6) CASE NO. 06-0341N**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; failed to submit requested documents.

- (7) **CASE NO. 05-3206**  
**Classification:** Youth Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; furnished inaccurate information and had a negative employment record.
- (8) **CASE NO. 06-0150N**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; illegal drug activity.
- (9) **CASE NO. 05-4147**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; failed to submit the requested documents.
- (10) **CASE NO. 05-3371**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation  
**Issue:** Suitability; omitted pertinent information and has a negative employment and driving record.

**B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS**

Cases heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

- **CASE NO. 06-3031N**  
**Classification:** Correctional Officer  
**Department:** Department of Corrections and Rehabilitation
- **CASE NO. 06-1967**  
**Classification:** Special Agent  
**Department:** Department of Justice
- **CASE NO. 04-1855**  
**Classification:** Fire Fighter I  
**Department:** Department of Forestry and Fire Protection

**C.    EXAMINATION APPEALS  
      MINIMUM QUALIFICATIONS  
      MERIT ISSUE COMPLAINTS**

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

**NONE**

**D.    RULE 211 APPEALS  
      RULE 212 OUT OF CLASS APPEALS  
      VOIDED APPOINTMENT APPEALS**

Cases heard by a Staff Hearing Officer, or a managerial staff member of the State Personnel Board. The Board will be presented recommendations by a Staff Hearing Officer for final decision on each appeal.

**NONE**

**E.    REQUEST TO FILE CHARGES CASES**

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

**PETITIONS FOR REHEARING CASES**

- (1)    CASE NO. 05-1295P**  
      **Classification:** Medical Technical Assistant - Psychiatric  
      **Department:** Department of Corrections and Rehabilitation

**SUBMITTED**

**1. TEACHER STATE HOSPITAL (SEVERELY), ETC.**

Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002.)

**NO ACTION**

**2. VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES)**

Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002.)

**NO ACTION**

**3. TELEVISION SPECIALIST (SAFETY)**

The Department of Corrections proposes to establish the new classification Television Specialist (Safety) by using the existing Television Specialist class specification and adding "Safety" as a parenthetical to recognize the public aspect of their job, additional language will be added to the Typical Tasks section of the class specification and a Special Physical Characteristics section will be added. (Presented to Board March 4, 2003.)

**NO ACTION**

**4. HEARING – Personal Services Contract #04-03**

Appeal of the California State Employees Association from the Executive Officer's April 15, 2004, Approval of Master Contracts between the California Department of Corrections and Staffing Solutions, CliniStaff, Inc., Staff USA, Inc., CareerStaff Unlimited, MSI International, Inc., Access Medical Staffing & Service, Drug Consultants, Infinity Quality Services Corporation, Licensed Medical Staffing, Inc., Morgan Management Services, Inc., Asereth Medical Services, and PrideStaff dba Rx Relief. (Hearing held August 12, 2004.)

**NO ACTION**

**5. HEARING**

Proposed new and revised State Personnel Board Regulations effecting equal opportunity, discrimination complaints and reasonable accommodation policies and procedures. (Hearing held July 7, 2004.)

**NO ACTION**

**6. CASE NO. 05-1737RPA**

Appeal from dismissal. Psychiatric Technician Assistant. Department of Developmental Services. (Oral argument held July 11, 2006.)

**NO ACTION**

**7. CASE NO. 00-3446**

Appeal to set aside resignation. Police Officer. California State University, Fresno. (Oral argument held September 5, 2006.)

**NO ACTION**

**8. CASE NO. 05-0078A**

Appeal from dismissal. Workers' Compensation Payroll Auditor. State Compensation Insurance Fund. (Oral argument held September 5, 2006.)

**NO ACTION**

**9. PSC NO. 06-03**

Appeal from Executive Officer Decision Disapproving Personal Services Contract for Unarmed Security Guard Services. Department of the California Highway Patrol. Service Employees International Union, Local 1000 (CSEA). (Oral argument held October 10, 2006.)

**NO ACTION**

**10. CASE NO. 05-3030A**

Appeal constructive demotion. Office Technician. Department of Developmental Services. (Oral argument held October 31, 2006.)

**NO ACTION**

**11. CASE NO. 05-1875A**

Appeal from rejection during probationary period. Equipment Material Specialist. Department of Transportation. (Oral argument held October 31, 2006.)

**NO ACTION**

**12. CASE NO. 05-0947A**

Appeal from dismissal. Housing Finance Specialist (General). California Housing Finance Agency. (Oral argument held December 5, 2006.)

**NO ACTION**

**13. CASE NO. 06-1814**

Appeal from official letter of reprimand. Correctional Officer. Department of Corrections and Rehabilitation. (Presented to Board December 5, 2006.)

**NO ACTION**

**14. CASE NO. 06-1310**

Appeal from 14 working days' suspension. Regional Administrator. Department of Corrections and Rehabilitation. (Presented to Board December 5, 2006.)

**NO ACTION**

**15. CASE NO. 05-1975**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**16. CASE NO. 05-1466**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**17. CASE NO. 05-1977**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**18. CASE NO. 05-1029**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**19. CASE NO. 05-2290**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**20. CASE NO. 05-1169**

Correctional Officer. Department of Corrections and Rehabilitation. Suitability; whether appellant's name was properly withheld for one DUI conviction. (Presented to Board December 5, 2006.)

**NO ACTION**

**21. CASE NO. 05-1681**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**22. CASE NO. 05-1170**

Correctional Officer. Department of Corrections & Rehabilitation. Suitability; whether appellant's name was properly withheld for DUI convictions. (Presented to Board December 5, 2006.)

**NO ACTION**

**NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

**GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

**WHEREAS**, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

**WHEREAS**, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

**WHEREAS**, the Agenda for the instant Board meeting included an item titled "Notice of Government Code section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

**WHEREAS**, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

\* \* \* \* \*



1

(Cal. 1/9/07)

TO: Members  
State Personnel Board

FROM: State Personnel Board - Legislative Office

SUBJECT: LEGISLATION

There is no written legislative report at this time. I will give a verbal presentation on any legislative action that has taken place that will be of interest to the Board.

Please contact me directly should you have any questions or comments regarding any bills that you may have an interest in. I can be reached at (916) 653-0453.

A handwritten signature in cursive script that reads 'Sherry A. Evans'.

Sherry A. Evans  
Director of Legislation

(January 9-10, 2007)

TO: STATE PERSONNEL BOARD

FROM: Debbie Chambliss, Chief Administrative Services  
Department of Finance

REVIEWED BY: Adria L. Jones, Selection Services Manager  
Department of Finance

SUBJECT: Proposed Title and Minimum Qualification Change to Finance Program  
Evaluator Series, and revisions to Alternate Range Criteria 400

SUMMARY OF ISSUES:

The Department of Finance proposes modifying the existing Finance Program Evaluator classification series specification as well as the associated alternate range criteria 400. The classification proposal was developed as the result of updated information gained through completion of a job analysis, a change in the number of accounting units required for admission to the Certified Public Accountant (CPA) exam, as well as an expansion in the focus of the Office of State Audits and Evaluations (OSAE). The proposed modifications to the class series add clarity by incorporating the full breadth of experience and knowledge needed to complete the demanding and unique assignments and special studies, as well as the audit and oversight functions required by the OSAE.

CONSULTED WITH:

Barbara Hudson, Department of Personnel Administration  
Josie Fernandez, Department of Personnel Administration  
Jennifer Roche, State Personnel Board  
Diana Ducay, Chief, Office of State Audits and Evaluations

CLASSIFICATION CONSIDERATIONS:

See attached proposal.

RECOMMENDATIONS:

1. That the titles of the following classes be changed as indicated; and the proposed revised specification for these classes appearing in the Financial and Performance Evaluator series specification show in this calendar be adopted:

| From                                | To   |
|-------------------------------------|--|
| Finance Program Evaluator           | Financial and Performance<br>Evaluator I, Department of Finance  |
| Associate Finance Program Evaluator | Financial and Performance<br>Evaluator II, Department of Finance |

|                                       |   |
|---------------------------------------|---|
| Staff Finance Program Evaluator       | Financial and Performance Evaluator III, Department of Finance          |
| Senior Finance Program Evaluator      | Supervisor – Financial and Performance Evaluator, Department of Finance |
| Supervising Finance Program Evaluator | Manager – Financial and Performance Evaluator, Department of Finance    |

2. That Alternate Range Criteria number 400 be amended as follows:

#### ALTERNATE RANGE CRITERIA 400

Range A. This range shall apply to incumbents who do not meet the criteria for payment in any other range.

Range B. This range shall apply to persons who have satisfactorily completed either: (1) the equivalent of six months of ~~Finance Program Evaluator~~ Financial and Performance Evaluator I, Department of Finance Range A; or (2) ~~one-year~~ two years of increasingly responsible of professional experience in accounting, and/or auditing which shall have included the preparation of reports and the presentation of recommendations to management, management information system, or related financial and/or performance consulting and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (3) a Graduate Master's degree from an accredited institution and completion of a minimum of 9 semester units in accounting (excluding accounting courses in tax real estate, human resources, report writing, and marketing). in Business Administration, Public Administration, Political Science, or related field. These courses can be taken at either undergraduate or graduate levels.

Range C. ~~This range shall apply to persons who have satisfactorily completed either: (1) the equivalent of 12 months of Finance Program Evaluator, Range B; or (2) satisfactorily completed two years of professional experience in accounting, auditing, management information system, or related financial and/or performance consulting and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (3) a Master's degree in Accountancy, Public Policy, Management Information Systems, or a related field that is strong in quantitative analysis such as statistics and economics; or (4) a Master's degree in Business Administration and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (5) a doctorate degree in Business Administration, Accountancy, Public Administration, Public Policy, Political Science, Law, Sociology, Management Information Systems, or related field; or (6) a valid Certified Public Accountant license.~~

When the requirements for the particular criteria are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of Section 599.674, except that upon movement to Range ~~G~~ B, the provisions of Section 599.676 will apply.

3. That the following resolutions be adopted:

(a) WHEREAS the State Personnel Board on January 9-10, 2007 established the deep class with alternate range levels as indicated below in Column II effective January 31, 2007, and the duties and responsibilities of the corresponding alternate range levels of the deep class were substantially included in the previously existing alternate ranges of the deep class as indicated in Column I; and

WHEREAS the knowledge and abilities required for the deep class alternate range levels indicated in Column II were substantially tested for in the examination held for the class listed in Column I; and therefore be it

RESOLVED, That any person with civil service status in the alternate range of the deep class indicated in Column I on January 31, 2007 shall be reallocated to the corresponding alternate range of the deep class as indicated in Column II and hereby granted the same civil service status in that class without further examination.

| <b>Column I</b>                    | <b>Column II</b>   |
|------------------------------------|--|
| Finance Program Evaluator, Range A | Financial and Performance Evaluator I,<br>Department of Finance, Range A |
| Finance Program Evaluator, Range B | Financial and Performance Evaluator I,<br>Department of Finance, Range A |
| Finance Program Evaluator, Range C | Financial and Performance Evaluator I,<br>Department of Finance, Range B |

RESOLVED, That any promotional lists for the Department of Finance established for the classes in Column I shall be used to certify to fill vacancies in the classes in Column II until such lists are abolished, exhausted, or superseded by lists for the classes in Column II ;and be it further

RESOLVED, That any existing employment lists for the Department of Finance other than reemployment lists established for the deep class indicated in Column I shall be used to certify to fill vacancies in the deep class indicated in Column II as directed by the Executive Officer of the State Personnel Board until such lists are abolished, exhausted, or superseded by lists for the deep class indicated in Column II and any persons on existing reemployment lists for the deep class in Column I shall also be placed on reemployment lists for the deep class in Column II until expiration of their eligibility on reemployment lists for the deep class in Column I.

| <b>Column I</b>                          | <b>Column II</b>   |
|--|--|
| Finance Program Evaluator, Range A, B, C | Financial and Performance Evaluator I,<br>Department of Finance, Range A and B |
| Associate Finance Program Evaluator      | Financial and Performance Evaluator II,<br>Department of Finance               |
| Staff Finance Program Evaluator          | Financial and Performance Evaluator III,<br>Department of Finance              |
| Senior Finance Program Evaluator         | Supervisor - Financial and Performance<br>Evaluator, Department of Finance     |

Supervising Finance Program Evaluator

Manager – Financial and Performance  
Evaluator, Department of Finance

(b) WHEREAS Title 2, California Code of Regulation Section 431 states “Unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparison”; and

WHEREAS placement in each alternate range of the class of Financial and Performance Evaluator I, Department of Finance, represents recognition of a higher level of knowledge, skill, ability, experience or eligibility which each appointee can acquire through experience in the class of Financial and Performance Evaluator I, Department of Finance or comparable or higher level classes; and

WHEREAS as the result of a permanent appointment to each alternate range, an appointee gains status in the range to which he/she is appointed as though each range is a separate class by qualifying for placement in that range through transfer, reinstatement, demotion, or satisfying the alternate range criteria: Therefore be it

RESOLVED, That salary Ranges A and B for the class of Financial and Performance Evaluator I, Department of Finance, may be used individually as if each represents the salary range of a separate class to make salary comparisons for discretionary actions between the class of Financial and Performance Evaluator I, Department of Finance and other classes; and be it further

RESOLVED, That for the class of Financial and Performance Evaluator I, Department of Finance the maximum currently authorized for Range B of the class shall be the salary range used to make salary comparisons for mandatory actions.

## A. CLASSIFICATION PROPOSAL CONCEPT

To be completed for all non-CEA proposals which require a Board item.  
Use additional paper if necessary.

Instructions: Respond to each of these questions and return with the signed-off transmittal to your DPA analyst prior to completing Part B.

|  |
|--|
| 1. Briefly describe the objectives and responsibilities of the program in which the subject class (es) will used.<br><br>See Attachment A                              |
| 2. What are the current responsibilities of the subject class (es) in this setting?<br><br>See Attachment B  |
| 3. Based on your responses to numbers 1 and 2, above, what has changed; or, what has created the need for this proposal?<br><br>See Attachment C                       |
| 4. What is the specific classification action you are proposing, and why?<br><br>See Attachments D & F   |
| 5. What other classification alternatives have you considered, and why are they not appropriate?<br><br>See Attachment E   |
| 6. Are there any salary changes or implications to this proposal? If so, what are they?<br><br>See Attachment G  |
| 7. Are there any specific MQ or status issues not already discussed in the concept paper? If so, what are they?<br><br>These are discussed in Attachments C, D, E, & F |

## Attachment A

### **1. Briefly describe the objectives and responsibilities of the program in which the subject class (es) will be used.**

The Financial and Performance Evaluator classification series will be used in the Department of Finance (Finance), Office of State Audits and Evaluations (OSAE) Unit. This classification series will not be used by other state agencies.

The responsibilities of Finance's OSAE Unit encompass the Executive Branch audit function for the State of California. Numerous statutes require Finance to perform audits of various state funds and/or programs. This results in a wide variety of work being conducted, including audits of financial records, performance evaluations, information technology, internal control review, compliance audits, consulting, quality assurance and budgeting reviews. OSAE also performs review of instances of suspected fraud and special program reviews as requested by the Governor's Office, the Director of Finance, the Legislature, or other state agencies.

OSAE plays a key role in Finance's mission by supporting and assisting in supervising the state's financial and business policies, and in conserving the state's rights, interests, and resources through independent audits, objective evaluations, and other related services. OSAE's scope of work typically includes review of the:

- Reliability and integrity of financial and operating information, and the means used to identify, measure, classify, and report such information.
- Systems established to ensure compliance with those policies, plans, procedures, laws, and regulations that could significantly impact operations and output.
- Means of safeguarding assets.
- Economy and efficiency with which resources are acquired, protected, and employed.
- Operations and programs to determine whether results are consistent with established goals and objectives.
- Corrective actions taken by agency officials resulting from previous audit findings.

OSAE accomplishes these multifaceted objectives through employment of staff with diversified backgrounds, professional certifications, and technological know-how. OSAE staff must collectively possess a broad knowledge of all programs, operations, fiscal structures, budgeting systems, and information systems (in numerous state, local, and nonprofit entities) in order to effectively audit and evaluate billions of dollars in state funding annually. In addition to various statutorily-mandated audits, OSAE is proactive in taking the lead in identifying fraud, waste, and abuse, and in providing leadership, oversight, and guidance to the state's internal audit units. Through its oversight activities, OSAE identifies risks, selects programs for audit, and identifies opportunities to add value and make state government more efficient and effective. These critical functions help Finance accomplish its responsibility to conserve the state's rights, interests, and resources through independent audits, objective evaluations, and consulting services.

The work performed and reports issued by OSAE are used and relied upon by the Governor, the Cabinet, the Legislature, Legislative Analyst's Office, Agency Secretaries, other staff within Finance, and various federal and local agencies to make critical funding and programmatic decisions. In accordance with Government Auditing Standards, OSAE attests to the validity of

Attachment A  
Page 2

audit findings, making the accuracy of its work even more critical. As such, erroneous findings, or improper or incorrectly prepared work can have significant adverse impacts on state government, agencies, or programs. Stakeholders have high expectations of Finance's completed audit and evaluation work, and OSAE consistently meets and exceeds these expectations. Moreover, many state agencies choose to contract with OSAE for services because of its broad expertise and experience in conducting independent audits, objective evaluations, and credibility among state decision-makers.

## Attachment B

### 2. What are the current responsibilities of the subject class (es) in this setting?

As the Governor's chief audit organization, OSAE is the Administration's acknowledged expert in all matters involving fiscal integrity, accountability, risks, controls, and audit programs, and is frequently consulted for its professional advice and assistance by the Governor and the Administration, the Legislature, and other decision-makers.

OSAE responsibilities include examining organizational operations and internal and management controls, reviewing organizational policies and procedures, conducting financial audits, and evaluating governmental resource utilization, program effectiveness, and organizational and managerial performance. Incumbents perform these projects in accordance with industry and government auditing standards. Additionally, OSAE monitors and coordinates the implementation of the Financial Integrity in State Manager's Accountability Act, and issues audit memos instructing internal audit organizations on audit policies, procedures and requirements. OSAE also performs reviews of suspected instances of fraud and special program reviews as requested by the Governor's Office, the Director of Finance, or other state agencies.

Incumbents in this series gather and document relevant financial and program evidence; interview personnel at all levels of agencies involved; develop relevant information through statistical sampling and quantitative analysis performed manually or through the use of computer assisted techniques; identify possible causes of agency problems; draw conclusions and develop appropriate and cost-effective recommendations concerning identified weaknesses or problems based on an objective and independent evaluation of evidence; assess compliance with relevant laws, regulations, and requirements; and prepare work papers to document work performed and provide the basis for a written report. The work may require the application of various research methodologies including cost-effectiveness analysis, systems analysis, and other analytical techniques. Further, incumbents independently conduct quality control reviews of reports and other materials used in assignments, as well as prepare and present findings, recommendations and related information at meetings and conferences with the Department of Finance, executive management, clients, and other interested parties.

The above duties and responsibilities are unique to OSAE, and the extensive breadth and depth of OSAE skills and knowledge required over a wide variety of programs, complex funding structures, and sophisticated information systems far surpass the skills and knowledge currently required of auditors at any other state agency (whose work covers only a narrow range of duties impacting a limited number of programs). Some of our current projects require in-depth knowledge of laws, policies, and regulations. For example, for the Public Utilities Commission, we are auditing the major phone companies, such as SBC, Verizon and MCI, to determine their compliance with charging, collecting, and remitting special fees to the State. This requires assessment of the accuracy of millions of individual phone records using complex systems maintained by Fortune 500 companies. OSAE staff must wear many different hats and be able to effectively transition from a control agency approach, to a client-auditor approach, to a consultant approach with ease.

OSAE must maintain a staff capable of:

Attachment B  
Page 2

- Performing complex and sensitive assignments;
- Becoming highly knowledgeable about complex operations and issues in a short amount of time (to meet various deadlines);
- Independently evaluating controversial issues;
- Analyzing different types of financial and programmatic information received from various sources;
- Making professional judgments;
- Communicating effectively;
- Developing innovative alternatives;
- Keeping adequate records and producing valid documentation of conclusions;
- Representing the Department at professional organizations.

In order for OSAE to fulfill its role as the premier audit organization, they must:

- (1) Employ personnel who collectively possess the necessary skills
- (2) Maintain independence
- (3) Follow applicable standards; and
- (4) Maintain a system of internal quality control.

**Attachment C****3. Based on your responses to numbers 1 and 2, above, what has changed; or, what has created the need for this proposal?**

This classification proposal was developed as the result of updated information gained through the completion of a job analysis, a change in the number of accounting units required for admission to the Certified Public Accountant (CPA) exam, as well as an expansion in the focus of OSAE's role.

We recently completed an exhaustive job analysis of all the classifications in the current classification series. The findings revealed that the current "Knowledge, Skills, and Abilities" (KSAs) requirements are insufficient to encompass the rapid changes in the audit profession and increased expectations. For example, the information technology environment has changed, and fraud detection and prevention techniques have become more sophisticated. OSAE's core competencies and KSAs have lagged behind these changes and are in need of updating. There has also been a shift in how decision-makers use OSAE's resources. Historically, OSAE focused on traditional-type audits. Clients now expect a more consultative and proactive approach to anticipating the state's problems, and OSAE is changing to meet these expectations.

In January 2002, the Board of Accountancy increased the minimum semester units necessary for admission to the CPA exam. Those admission requirements are codified in the California Code of Regulations, Title 16, Division 1, Article 2, Section 9.2, which now require a minimum of 24 semester units in accounting subjects. Because Pattern I of the current minimum qualifications for the entry-level class is directly tied to the CPA exam admission requirements, the increase from 12 to 24 semester units dramatically reduced the eligible candidate pool. This change has made it extremely difficult to recruit and hire qualified individuals to fill our positions.

The importance of OSAE's role and responsibilities has increased dramatically over the past several years along with the exponential expansion in state government's complexity and size. The state environment is unusually dynamic, with new laws continuously enacted, regulations adopted, priorities shifted, policies changed, and organizations created or abolished. Recent corporate failures and improprieties by elected officials have resulted in increased public scrutiny and an even greater demand for professional audits to ensure public accountability. The new focus on accountability requires much more complex risk assessment methodologies, in-depth fraud detection, and information systems analysis to assess data reliability and integrity. An example is the work being performed for the State Teachers' Retirement System. This project includes assessments and compilations of retirement benefits for educational professionals. As the results are often the subject of litigation, a broad knowledge of the complex formulas used to calculate the benefits and the necessity of accurate work is essential.

## Attachment D

### 4. What is the specific classification action you are proposing and why?

This proposal revises the current classification series to reflect a wide range of technical and analytical skills which will allow OSAE to meet its overall mission and to recruit and retain qualified staff to carry out such mission. Finance is requesting the following modifications:

- Change the classification series title.
- Revise the minimum qualifications.
- Update the knowledge and abilities.

To more accurately reflect the duties of these positions, Finance is requesting a classification series title change to Financial and Performance Evaluator (FPE), Department of Finance. The old title was ambiguous and applicants did not understand the nature of the position. The title did not convey the nature of the position to candidates performing job searches through the internet, nor did it correctly convey the nature of the work performed by the incumbent. As a result, a person seeking employment in this field did not discern that the position was about auditing and evaluating government programs, and subsequently, did not pursue further inquiry about the position.

The change to the minimum qualifications for the entry FPE class is two-pronged. The first relates to the new Pattern I and the second to the new Pattern II. The significant change to Pattern I reduces the accounting unit requirements from 24 units to 12 units. We propose eliminating the link to the admission requirements for the CPA exam, and establishing a 12 semester unit accounting requirement as a more appropriate alternative. Additionally, we had accepted graduate degrees irrespective of accounting units; however, an analysis of retention rates and exit interviews indicates a higher rate of performance problems and turnover for those who possessed little or no accounting knowledge. Therefore, we propose eliminating the current Pattern II. Lastly, the significant change to the new Pattern II increases the accounting unit requirement from 0 units to 9 units with the 2 years of experience as a substitute for the other 3 units of accounting. Review of OSAE's workload for the past five years has shown that over 90 percent of the assignments had a financial component. We believe this is the primary reason that the staff with little or no accounting coursework or work experience tended to struggle more than those with an accounting background. The chart below provides hiring and separation data for the entry level FPE classification for the past five years. The data show that of the staff hired with a masters degree with no accounting had the highest departure rate. Verbal exit interviews with the staff in this category revealed that one of the reasons for their departure was that the fiscal aspect of the OSAE workload was difficult for them to grasp. They also indicated that the fiscal related work was not a match for their interests and career goals. Of the 16 other staff that left who had accounting knowledge and/or experience the primary reason for leaving was related to extensive travel or salary levels.

Also provided in the table below are the current employee education profiles by classification. This data clearly demonstrates that the staff with accounting backgrounds have been more successful in promoting through the series. We believe this is attributable to the percentage of fiscal related work. Further of the staff with little or no accounting that have stayed with OSAE have requested approval to take college level accounting coursework and requested the development of in-house classroom style accounting courses.

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# FPE HIRING/SEPARATION DATA

## Hired:

| <b>FPE Ranges:</b> | <b><u>2002</u></b> | <b><u>2003</u></b> | <b><u>2004</u></b> | <b><u>2005</u></b> | <b><u>2006</u></b> | <b><u>Total</u></b> |
|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|
| A                  | 9                  | 3                  | 4                  | 7                  | 6                  | 29                  |
| B                  | 7                  | 1                  | 5                  | 2                  | 4                  | 19                  |
| C                  | 6                  | 1                  | 5                  | 5                  | 4                  | 21                  |
| Total              | 22                 | 5                  | 14                 | 14                 | 14                 | 69                  |

## Separations:

| <b>FPE Ranges:</b> | <b>Total</b> |
|--------------------|--------------|
| A                  | 10           |
| B                  | 7            |
| C                  | 8            |
| Total              | 25           |

## Separations/Hires By Degree

| <b>Type:</b>                        | <b>Hires</b> | <b>Separations</b> | <b>Percent</b> |
|-------------------------------------|--------------|--------------------|----------------|
| No masters, just accounting classes | 41           | 14                 | 0.34           |
| Masters with accounting             | 9            | 2                  | 0.22           |
| Masters without accounting          | 19           | 9                  | 0.47           |

| <b>Classification profile</b>   | <b># in class</b> | <b># w/ accty</b> | <b>Other</b> |
|---------------------------------|-------------------|-------------------|--------------|
| Finance Program Evaluator (FPE) | 21                | 12                | 9            |
| Associate FPE                   | 22                | 10                | 12           |
| Staff FPE                       | 10                | 8                 | 2            |
| Senior FPE                      | 13                | 10                | 3            |
| Supervising FPE                 | 6                 | 6                 | 0            |
| Assistant Chief                 | 1                 | 1                 | 0            |
| Chief                           | 1                 | 1                 | 0            |

Our application of the 12 units would require 2 theoretical and 2 practical classes, and must be completed at an accredited institution. The 12 accounting units are based on introductory courses such as Accounting 1A and 1B which introduce basic accounting theory, such as debits and credits (dual entry accounting), general ledger structure and journal entries; and practical accounting courses, such as intermediate, governmental or cost, which provide implementation and application of the basic theory, including financial statement analysis and presentation, fund

accounting, cost analysis and ratio analysis. These accounting units are essential in order for the candidate to audit, analyze, and identify errors, irregularities, exceptions, and significant

Attachment D

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non-compliance during the completion of OSAE's core workload. The 12 units of accounting would ensure that OSAE is meeting Government Audit Standards which require that staff collectively possess adequate professional proficiencies for the tasks performed. Likewise, requiring the accounting units under each pattern will add to the common communication base and increase retention. Accounting classes in real estate, tax, human resources, report writing, and marketing will not be considered as part of the 12 unit requirement because they do not provide the theoretical and practical knowledge needed for the OSAE core workload.

The minimum qualifications in the remaining promotional classes were also updated to reflect the refinement of qualifying experience in the outside patterns to include only accounting or auditing experience. It was determined during the job analysis that the other types of outside experience did not provide the knowledge and abilities to perform the critical functions of the position. The unique assignments and special studies conducted by OSAE make - the need for accounting and/or auditing experience paramount. A cursory review of the incumbents in the series did not reveal that this change would result in negative impact to the promotional candidate pool.

The updated knowledge and abilities are the result of an in-depth job analysis. The revised KSA's were validated by separate workgroups composed of various working levels. We added new items to the existing list, moved items between the different levels, and deleted some items that no longer apply. These changes will allow us to accurately evaluate candidates' qualifications and incumbents' performance. We are proposing to substitute the existing KSAs with the specific KSAs gleaned from the job analysis.

## Attachment E

### 5. What other classification alternatives have you considered, and why are they not appropriate?

#### Class Change

##### Make No Changes: Retain FPE, Ranges A, B, and C.

Placement in the current classification is subjective and open to interpretation. As noted in Attachment G, the existing three ranges do not result in objective and consistent appointment criteria, and contribute to inconsistency and inequity when applying the criteria to new employees. Some employees had contested their appointment level as not being commensurate with their education or experience. Further, the three ranges do not adequately reflect the applicant pool. Most candidates fall into one of two categories: (1) candidates with undergraduate degrees, or (2) candidates with professional auditing or accounting experience. Past experience has shown that candidates in the latter category were equally successful. A third range was not effective or necessary to distinguish these candidates. Upward mobility and retention were also impaired because of the lengthy period (30 months) before potential promotion to FPE II.

##### Alternative 1 – Retain Ranges A, B, & C, but change the time required for movement to the next level to 12 months in A, 6 months in B, and 6 months in C.

While this reduced the time for potential promotion, it did not adequately address ambiguities and inconsistencies in appointment placement.

##### Alternative 2 – Implement a Single Classification.

We did not feel this competitively compensates applicants with accounting or auditing professional experience. This option likely would further increase employee discontent and reduce the applicant pool.

#### Minimum Qualifications

Financial and Performance Evaluator I:

Pattern I

Make no changes: We considered making no changes to the Pattern I qualifications and retain the requirement to sit for the CPA exam (which increased from 10 to 24 units in accounting subjects). This would effectively limit admission to only those candidates with an accounting degree. Completion of the advanced and specialized accounting courses (required for admission to the CPA exam), although desirable and beneficial, outweigh the negative impacts of limiting the candidate pool.

Alternative 1: We considered retaining the previous CPA eligibility requirement of 10 units in accounting subjects; however, this was deemed unsuitable because the units do not represent a full number of courses. For additional discussion of our rationale, refer to Attachment C.

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Alternative 2: We also considered eliminating the Pattern I accounting eligibility requirement and retain only the existing Patterns II (Education) and III (Experience). This was deemed undesirable because a basic education in core accounting subjects was critical for success in the series and helped ensure incumbents' ability to perform at the expected standard. Elimination of this requirement would also restrict the number of eligible candidates to only those qualifying under Patterns II or III.

Financial and Performance Evaluator II and above:

Eliminate Experience Patterns II and III

Make no changes - We have not held open exams for these levels because of the specialized skills and knowledge required for these positions. In-house training provides a much greater success rate in retention.

### **Knowledge, Skills, and Abilities**

Other than to leave the existing requirements unchanged, we did not develop a list of alternative KSAs. Alternatives were considered and either adopted or rejected as part of an exhaustive survey process. If left unchanged, the existing KSAs fail to address essential performance factors, and preclude OSAE's ability to effectively evaluate qualifications for entry to the series, incumbents' performance, and promotional readiness. Further, questions about out-of-class duties could be raised when actual duties do not agree with the series specifications.

**Attachment F**

**Knowledge, Skills, and Abilities**

See attached matrix.

**Financial and Performance Evaluator, Department of Finance**  
Final Edited Tasks, Knowledge, & Abilities Matrix  
April 2006

| TASKS | FPE I  | FPE II  | FPE III   | SUPERVISOR-FPE   | MANAGER-FPE  |
|-------|--|---|---|--|--|
|       | <p>Under supervision:</p> <ol style="list-style-type: none"> <li>1. Organize and plan assignments.</li> <li>2. Identify objectives and criteria to be used in the evaluation of an assignment.</li> <li>3. Conduct meetings, presentations, and interviews in a professional and tactful manner.</li> <li>4. Gather, document, and evaluate relevant financial and program evidence to support findings.</li> <li>5. Use various sampling methods, analytical procedures, and/or quantitative analysis to validate data and draw conclusions.</li> <li>6. Assess compliance with applicable laws, regulations, and other relevant requirements.</li> <li>7. Identify and recommend appropriate solutions for problems or deficiencies.</li> <li>8. Prepare working papers to document work performed and to support conclusions, audit findings, and recommendations.</li> <li>9. Prepare written reports and other written work products to communicate to all levels of staff, management, and clients.</li> <li>10. Work in a team and coordinate with other team members to effectively and efficiently complete tasks at hand.</li> <li>11. Review and analyze financial statements for accuracy and completeness.</li> <li>12. Complete appropriate analytical procedures to evaluate financial or operational information.</li> <li>13. Apply general and governmental accounting and auditing principles and procedures.</li> <li>14. Effectively utilize word-processing and spreadsheet tools to prepare work products.</li> </ol> | <p>Under direction:</p> <ol style="list-style-type: none"> <li>1. All of the FPE I tasks.</li> <li>2. Conduct more complex financial and compliance audits, performance and internal control reviews, special studies and investigations to effectively perform job duties.</li> <li>3. Apply appropriate standards, policies, concepts and principles to develop audit steps and procedures to complete a wide range of complex assignments.</li> <li>4. Prepare high quality written products in a timely manner.</li> <li>5. Serve in a lead capacity over assigned staff on a wide range of complex assignments.</li> <li>6. Act as mentor to provide technical guidance to new staff on work paper preparation office practices and policies, and work standards.</li> <li>7. Perform initial review of workpapers and make recommendations to staff for improvement.</li> <li>8. Participate in the training of staff and provide input to supervisors for staff evaluation.</li> <li>9. Participate in office committees and special task forces to review existing office policies, procedures and work standards and provide recommendation to management to improve office operations.</li> <li>10. Participate in the recruitment and examination processes to hire and/or promote staff.</li> </ol> | <p>Under direction:</p> <ol style="list-style-type: none"> <li>1. All of the FPE I &amp; FPE II tasks.</li> <li>2. Serve as a specialist and/or subject matter expert and provide technical guidance, assistance and training to staff, clients, and others.</li> <li>3. Through technical expertise, gain the confidence of clients, peers and other individuals to effectively provide audit, consultation and evaluation services.</li> <li>4. Plan, design, conduct and complete the most complex and/or sensitive assignments within scope and available resources.</li> <li>5. Provide technical assistance with the development of proposed engagements.</li> <li>6. Communicate with management, clients, peers and interested parties on assignment status and other information</li> <li>7. Resolve client issues and concerns through effective communications and problem solving techniques.</li> <li>8. Review and edit written work products of others to ensure accuracy, completeness and the scope and objectives of the assignment are met.</li> <li>9. Plan, prepare, and conduct presentations in a clear, logical, and professional manner.</li> <li>10. Assist in staff development through "leading by example", training and providing constructive feedback.</li> <li>11. Provide feedback to management regarding employee performances.</li> <li>12. Assist with calculating reimbursement and travel estimates for assigned projects.</li> <li>13. Participate in office committees and/or sub-committees or special task forces to assist with the development of office policies and procedures, and provide recommendations to management.</li> </ol> | <p>Under general direction:</p> <ol style="list-style-type: none"> <li>1. All of the FPE I, FPE II &amp; FPE III tasks.</li> <li>2. Supervise, review, coordinate, and monitor staff work and work products to ensure accuracy, completeness, and timeliness.</li> <li>3. Assist with contract development and monitoring to ensure accuracy and completeness of scope, objectives and compliance.</li> <li>4. Develop and communicate assignment scope, objectives, and budget requirements to assigned staff.</li> <li>5. Provide on-site field supervision and direction for assignments.</li> <li>6. Provide technical guidance and assistance to staff, clients, and others.</li> <li>7. Assist with maintaining client relations during the course of work. Testify and/or defend work products before legislative committees, courts, clients, departmental staff, and other interested parties.</li> <li>8. Assist with staffing assignments to meet administrative requirements. Perform administrative functions such as employee attendance reporting, telework, overtime, travel itineraries, advances, and claims; reference checks; supervisor meeting facilitator and training requests</li> <li>9. Assess staff skills and abilities to ensure proper training is provided for effective staff development.</li> <li>10. Evaluate, monitor, and provide timely feedback to staff on employee performance.</li> <li>11. Calculate and monitor reimbursement and travel estimates for assigned projects.</li> <li>12. Ensure the project management system is utilized to reflect current status of assignment such as timelines, budget data, project dates and event dates.</li> <li>13. Maintain a work environment that is free of discrimination and harassment.</li> </ol> | <p>Independently:</p> <ol style="list-style-type: none"> <li>1. All of the FPE I, FPE II, &amp; FPE III and Supervisor tasks.</li> <li>2. Manage a large professional and technical staff, typically through subordinate supervisors.</li> <li>3. Plan, organize, coordinate, and direct multiple projects in one or more major governmental areas, and coordinate with internal department staff, various State, local, and Federal agencies, major policy groups, and clients to carry out the department's goals, mission, and strategic plan.</li> <li>4. Apply appropriate standards, policies, procedures, laws, rules, and regulations consistently to carry out the department's goals, mission, and strategic plan.</li> <li>5. Communicate the availability and value of OSAE services and develop projects and effectively foster new client relationships.</li> <li>6. Prepare and monitor interagency agreements and manage reimbursements to balance resources against goals and priorities utilizing budget allotment, personnel allocation guidelines as needed or directed.</li> <li>7. Review, analyze, and evaluate fiscal, program, and policy proposals to meet project objectives.</li> <li>8. Manage/participate in specific administrative and professional development functions, such as Quality Control, Training, Recruitment, and CPA Committees; IIA, AGA and Board of Accountancy to maintain proficiency in current industry trends and knowledge. Implement OSAE's and the Department's core values, goals and mission as required.</li> <li>9. Ensure effective evaluating, monitoring, and provision of constructive feedback on employee performance.</li> <li>10. Develop annual production and assignment plans to meet business needs.</li> </ol> |

| KNOWLEDGE | FPE I   | FPE II   | FPE III   | SUPERVISOR-FPE  | MANAGER-FPE   |
|-----------|---|--|---|---|---|
|           | <p>Within this classification, the incumbent is required upon entry to possess a <u>basic</u> knowledge of the following:</p> <ol style="list-style-type: none"> <li>1. Accounting principles.</li> <li>2. Research, analytical and evaluative techniques to obtain relevant information.</li> <li>3. Problem solving techniques.</li> <li>4. Verbal communication fundamentals to gather and convey required information.</li> <li>5. Effective writing skills to convey relevant information.</li> <li>6. Word-processing and spreadsheet tools to prepare work products.</li> </ol> <p>By 12 months:</p> <ol style="list-style-type: none"> <li>7. Auditing procedures and general and governmental accounting principles and procedures to complete assignments.</li> </ol> | <p>Within this classification, the incumbent is required to possess a general knowledge of all the FPE I knowledge, in addition to the following:</p> <ol style="list-style-type: none"> <li>1. General standards and criteria issued by the AICPA, GAO, COSO, COBIT, IIA, and other authoritative bodies on financial matters.</li> <li>2. General consulting and evaluation procedures and standards to effectively complete a wide variety of complex assignments.</li> <li>3. Operations, fiscal structures and functions of Federal, State and local government, non-profit entities and a wide variety of industries to perform work assignments.</li> <li>4. California government operations, Uniform Codes Manual, State Administrative Manual, State Contracting Manual, CALSTARS, budget process and other regulations, to effectively perform work assignments.</li> <li>5. Basic group leadership and team building techniques to effectively lead assigned staff.</li> <li>6. Office administrative standards, procedures, core values and policies to complete high quality work products.</li> </ol> | <p>Within this classification, the incumbent is required to possess an advanced knowledge of all the FPE I and FPE II knowledges, in addition to the following:</p> <ol style="list-style-type: none"> <li>1. Broad range of analytical and evaluative techniques to research and evaluate complex and sensitive assignments.</li> <li>2. Project management skills and techniques to coordinate work assignments.</li> <li>3. Leadership and coaching principles and practices to develop staff.</li> </ol> <p>By 12 Months:</p> <ol style="list-style-type: none"> <li>4. Expertise in a specified subject matter and/or specialty</li> </ol> | <p>Within this classification, the incumbent is required to possess an extensive knowledge of all the FPE I, FPE II, and FPE III knowledges, in addition to the following:</p> <ol style="list-style-type: none"> <li>1. Principles and practices of employee supervision, development, and training.</li> <li>2. Principles and practices of project management and coordination of work assignments.</li> <li>3. A supervisor's responsibility for promoting equal opportunity in hiring, employee development, and promotion; and maintaining a work environment that is free of discrimination and harassment.</li> <li>4. Teambuilding and coaching techniques to improve the work environment and to increase productivity, as needed.</li> </ol> | <p>Within this classification, the incumbent is required to possess an extensive knowledge of all the FPE I, FPE II, FPE III, and Supervisor FPE, in addition to the following:</p> <ol style="list-style-type: none"> <li>1. The fiscal structure and practices of Federal, State and local government, and non-profit entities to effectively carry out the department's goals, mission and strategic plan.</li> <li>2. Principles, practices, and emerging issues of auditing, evaluating, consulting public administration, organization, and management in order to maintain and improve the organization.</li> <li>3. Techniques of organizing and motivating groups to promote staff morale and improve working environment.</li> <li>4. Principles and practices of personnel management to effectively solve problems to maintain the operation.</li> <li>5. A manager's responsibility for promoting equal opportunity in hiring and employee development and promotion and for maintaining a work environment that is free of discrimination and harassment.</li> <li>6. Project management techniques in order to effectively manage projects to successful conclusion.</li> <li>7. Principles of effective verbal, written and group communication to accurately and effectively to convey job related information.</li> </ol> |

| ABILITIES     | FPE I   | FPE II   | FPE III   | SUPERVISOR-FPE  | MANAGER-FPE  |
|---------------|---|--|---|---|--|
| Upon entry:   | 1. Learn general and governmental accounting and auditing principles and procedures.<br>2. Analyze, comprehend and interpret policies, procedures, laws, regulations and guidelines.<br>3. Manage time and multiple priorities effectively.<br>4. Work both in a team environment and individually.<br>5. Adapt/transition to changing assignments and/or situations as required.<br>6. Maintain confidentiality of information.<br>7. Verbally summarize a variety of facts, data, and recommendations to all levels of staff, management and clients.<br>8. Prepare written products that are grammatically correct and convey relevant information.<br>9. Maintain professionalism and tact when interacting with colleagues, supervisors, and clients.<br>10. Comply with office policies and procedures and departmental core values.<br>11. Effectively utilize word-processing and spreadsheet tools to prepare work products. | Requires all of the FPE I abilities, in addition to:<br>1. Use a variety of analytical techniques, auditing principles, consulting and evaluating procedures to identify a wide range of issues and propose appropriate corrective actions.<br>2. Exercise a high degree of self-direction and independence in decision-making on sensitive and difficult assignments.<br>3. Reason logically and creatively to effectively complete difficult assignments on short notice.<br>4. Assume progressively greater responsibilities, exercise tact and good interpersonal skills.<br>5. Plan, direct and coordinate the work of assigned staff to produce high quality work products.<br>6. Perform initial review of workpapers and provide constructive feedback to assigned staff.<br>7. Participate in office committees and special task forces to review existing internal policies and provide recommendation to management for improvement.<br>8. Participate in the recruiting and examination processes to hire and promote staff. | Requires all of the FPE I and FPE II abilities, in addition to:<br>1. Exercise a high degree of initiative, judgment, independence, responsibility, and leadership on all assignments.<br>2. Acquire and develop skills in specific technical and complex subjects.<br>3. Plan, manage, and complete the work of specialized, complex, sensitive, and/or open-ended assignments efficiently, effectively, and timely.<br>4. Analyze and research complex issues, develop and evaluate alternatives, make decisions and recommend effective courses of action.<br>5. Identify risks and deficiencies in various industries and programmatic/technical areas, and determine cost-effective solutions. Develop and recommend changes in assignment scope based on ongoing evaluation.<br>7. Obtain, interpret, and apply relevant and authoritative criteria as necessary.<br>8. Learn and apply concepts, terminology, and analytical techniques for a specified industry and/or work assignment.<br>9. Effectively review and edit written work products.<br>10. Communicate in a logical, clear, concise, persuasive, and professional manner during complex, contentious and/or sensitive situations.<br>11. Effectively train and provide specialized subject matter guidance and constructive feedback to staff, clients, and others.<br>12. Participate in office committees and sub-committees to effectively develop policies and procedures and provide recommendations to management. | Requires all of the FPE, FPE II, and FPE III abilities, in addition to:<br>1. Plan, organize, and direct the work of staff engaged in a variety of assignments.<br>2. Effectively allocate resources and monitor assignment progress.<br>3. Effectively assign, review, and edit written work products, reports and correspondence.<br>4. Work effectively with clients, top-level managers and executives of state and other organizations.<br>5. Gain and maintain the confidence of others to promote staff morale and improve working relationships with staff, clients, and others.<br>6. Effectively assess staff skills and abilities.<br>7. Maintain flexibility with changing assignments and priorities.<br>8. Maintain a work environment that is free from discrimination and harassment, and promote equal opportunity in hiring, employee development, and employee advancement.<br>9. Support and enforce established office policies and procedures, ethical behavior, and DOF core values. | Requires all of the FPE I, FPE II, FPE III, and Supervisor FPE abilities, in addition to:<br>1. Plan, organize, and direct the work of professional and technical staff engaged in a variety of complex assignments.<br>2. Appear and make presentations before legislative and other groups.<br>3. Develop and foster cooperative working relationships with representatives of all levels of government, the public, and clients.<br>4. Review, edit, and defend work products.<br>5. Identify the need for and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.<br>6. Effectively communicate the availability and value of OSAE services and develop projects.<br>7. Effectively prepare and monitor interagency agreements and manage reimbursements.<br>8. Review, analyze, and evaluate fiscal, program, and policy proposals.<br>9. Actively manage/participate in specific administrative and professional development functions, such as Quality Control, Training, Recruitment, and CPA Committees; IIA, AGA, and Board of Accountancy.<br>10. Communicate OSAE's and the Department's core values, goals, and mission.<br>11. Develop annual production and assignment plans.<br>12. Resolve interpersonal conflicts with staff and clients. |
| By 12 months: | 12. Clearly define objectives and develop appropriate approaches and methodologies.<br>13. Review and evaluate internal controls, accounting records, and program information<br>14. Conclude as to the adequacy, completeness, and accuracy of financial data and/or other work products.<br>15. Organize and prepare work papers to create a clear, logical flow from the assignment objectives to the conclusions.<br>16. Prepare clear and concise written products.<br>17. Understand and follow directions.<br>18. Apply general and governmental accounting and auditing principles and procedures.<br>19. Effectively conduct interviews, meetings, and presentations.  |  |   |   |  |

**Attachment G****6. Are there any salary changes or implications to this proposal? If so, what are they?**

Finance is not making any base salary adjustments in the proposal. However, we are proposing to simplify the alternate range criteria for the Financial and Performance Evaluator I and update the Hire-Above-Minimum (HAM) Authorization. The proposal for the alternate range criteria is to merge the Range A and B salaries. As a result, the bottom salary for Range A will not change and the new top salary for Range A is the current top salary for Range B. Merging the current A and B ranges will eliminate the need for a Range C, thus the current Range C will become the new Range B.

The table below details the changes to the Alternate Range Criteria and salary structure for Financial and Performance Evaluator Series.

| <u>Current Class</u>   | <u>Proposed Class</u>   |
|--|---|
| Finance Program Evaluator<br>Range A \$3,006 - 3,481<br>Range B \$3,102 - 3,768<br>Range C \$3,719 – 4,746 | Financial and Performance Evaluator I<br>Range A \$3,006 – 3,768<br><br>Range B \$3,719 – 4,746 |
| Associate Finance Program Evaluator<br>Salary \$4,470 – 5,706  | Financial and Performance Evaluator II<br>\$4,470 – 5,706                                       |
| Staff Finance Program Evaluator<br>Salary \$4,912 – 6,222  | Financial and Performance Evaluator III<br>\$4,912 – 6,222                                      |
| Senior Finance Program Evaluator<br>Salary \$5,393 – 6,831   | Supervisor – Financial and Performance Evaluator<br>\$5,393 – 6,831                             |
| Supervising Finance Program Evaluator<br>Salary \$6,556 – 7,589  | Manager – Financial and Performance Evaluator<br>\$6,556 – 7,589                                |

**Financial and Performance Evaluator, Department of Finance****PROPOSED SALARY STRUCTURE**

|   | <u>Monthly</u>                         | <u>Annual</u>                              |
|---|--|--|
| Financial and Performance Evaluator I<br>Range A<br>Range B | \$3,006 – \$3,768<br>\$3,719 - \$4,746 | \$36,072 - \$45,216<br>\$44,628 - \$56,952 |
| Financial and Performance Evaluator II                      | \$4,470 – 5,706                        | \$53,640 - \$68,472                        |
| Financial and Performance Evaluator III                     | \$4,912 – 6,222                        | \$58,944 - \$74,664                        |
| Supervisor – Financial and Performance Evaluator            | \$5,393 – 6,831                        | \$64,716 - \$81,972                        |
| Manager – Financial and Performance Evaluator               | \$6,556 – 7,589                        | \$78,672 - \$91,068                        |

Modification of the existing Alternate Range Criteria 400 reduces the time-in-range requirement. The current criteria requires up to 30 months for movement through the three ranges and potential promotion. We propose reducing that to up to 24 months movement through two ranges; i.e., six months at Range A before movement to Range B. Upward mobility and retention was impaired due to the higher requirements before potential promotion to the next level. The reduction in time before eligibility for promotion will increase retention.

In addition, the current Alternate Range Criteria 400 does not result in objective and consistent standards for range placement. The three ranges do not adequately reflect the value of the applicant pool. Based on historical knowledge candidates with undergraduate and graduate degrees with no auditing or accounting experience are relatively equivalent upon hiring. The primary distinction was accounting classes. For this reason we are proposing to merge Ranges A and B. Another significant distinction between candidates are those hired with professional auditing and accounting experience. Past experience has shown that candidates in the latter category were had a clearer understanding the work performed by OSAE because of their work experience. The proposed Range B creates a clear distinction between candidates with experience and those without..

For the incumbents currently in alternate Range A will stay in Range A, incumbents in the current Range B will be reallocated to the new Range A with no salary change, the incumbents currently in Range C will be reallocated to Range B with no salary change.

Lastly, we are requesting to update the current HAM Authorization to reflect the proposed changes to the classification title and alternate ranges.

# CALIFORNIA STATE PERSONNEL BOARD

## SPECIFICATION

### FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR

#### Series Specification

(Established April 12, 1973)

#### SCOPE

This series specification describes five levels used within the Department of Finance to conduct audits, evaluations and special studies, and to report conclusions, findings, and recommendations for improvement of State and State-sponsored programs and organizations.

This series is available for use only in the California State Department of Finance. Entry into this series at the ~~Finance Program Evaluator~~ Financial and Performance Evaluator I level is typically from outside State service.

| <u>Schem</u><br><u>Code</u> | <u>Class</u><br><u>Code</u> | <u>Class</u>   |
|-----------------------------|-----------------------------|--|
| LE68                        | 5425                        | <del>Finance Program Evaluator</del> <u>Financial and Performance Evaluator I, Department of Finance</u>                     |
| LE66                        | 5426                        | <del>Associate Finance Program Evaluator</del> <u>Financial and Performance Evaluator II, Department of Finance</u>          |
| LE64                        | 5427                        | <del>Staff Finance Program Evaluator</del> <u>Financial and Performance Evaluator III, Department of Finance</u>             |
| LE62                        | 5428                        | <del>Senior Finance Program Evaluator</del> <u>Supervisor - Financial and Performance Evaluator, Department of Finance</u>   |
| LE60                        | 5429                        | <del>Supervising Finance Program Evaluator</del> <u>Manager - Financial and Performance Evaluator, Department of Finance</u> |

#### DEFINITION OF SERIES

Positions in this series, in accordance with industry and government auditing standards, conduct financial audits, examine organizational operations and internal and management controls, review organizational policies and procedures, conduct financial audits of entities subject to audit by the Department of Finance, and evaluate governmental resource utilization, program effectiveness, and organizational and managerial performance. Incumbents gather and document relevant financial and program evidence; interview personnel at all levels of agencies involved; develop relevant information through statistical sampling and quantitative analysis performed manually or by using various database and electronic spreadsheet software packages through the use of computer assisted techniques; identify possible causes of agency problems; draw conclusions and develop feasible and cost-effective recommendations concerning identified weaknesses or problems based on an objective and independent evaluation of evidence; assess compliance with relevant laws, regulations, and requirements; and

prepare work papers to document work performed and to provide the basis for a written report. The work may require the application of various research methodologies including cost-effectiveness analysis, systems analysis, and other analytical techniques. Incumbents independently conduct quality control reviews of reports or other materials used in audits. Incumbents prepare and present audit-related information at meetings and conferences with the Department of Finance, audited entities, and other interested parties.

#### FACTORS AFFECTING POSITION ALLOCATION

Positions in this series are characterized by the scope and breadth of assignments; complexity, sensitivity, and variety of methodology utilized; independence of actions and decisions; consequence of error; degree of supervision received and/or exercised; and level and variety of professional contacts.

#### DEFINITION OF LEVELS

##### FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR I, DEPARTMENT OF FINANCE

This is the entry level in the series. Under supervision, incumbents assist in the planning, data gathering, ~~analyzing~~ analytical, and ~~reporting tasks~~ consultative duties associated with most assignments. Incumbents conclude and report as to the adequacy, completeness, and accuracy of financial data and/or other work products. Incumbents may also independently perform smaller or less complex assignments and/or assist in the completion of a segment of a larger or more complex assignment.

##### ASSOCIATE FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR II, DEPARTMENT OF FINANCE

This is the ~~full~~ first journey person level in the series requiring self-direction, independence, and proficiency in handling complex, sensitive, and difficult assignments. Under direction, incumbents utilize a wide range of analytical skills in planning, gathering, and analyzing information, drawing appropriate conclusions, and formulating recommendations. ~~In addition, they provide assistance to lower level staff and may function in a lead capacity over a small group of evaluators.~~ As lead, incumbents plan, direct, and coordinate the work of assigned staff to produce high quality work products.

STAFF FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR  
III, DEPARTMENT OF FINANCE

This is the working specialist or ~~super-~~ full journey person level. ~~With minimal~~ Under general direction, incumbents independently and proficiently handle the most complex, visible, and/or sensitive assignments. Incumbents in this series are typically specialists who have demonstrated strong analytical abilities and a comprehensive understanding of a broad range of ~~management~~ financial and program issues, including standards and criteria issued by authoritative bodies. Specialists at this level ~~provide consultation on specific areas or program issues~~ develop expertise and serve as a resource in specific fiscal and program areas. Incumbents ~~also may~~ assist in staff development and ~~may~~ serve in a lead capacity over lower-level staff.

SENIOR FINANCE PROGRAM EVALUATOR SUPERVISOR - FINANCIAL AND  
PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

This is the supervisory level in the series. Under general direction, incumbents concurrently supervise one or more multiple assignments and evaluation teams and coordinate all aspects of each assignment. Incumbents provide management advice and technical guidance to staff, top level administrators, and other interested parties.

SUPERVISING FINANCE PROGRAM EVALUATOR MANAGER - FINANCIAL AND  
PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

This is the managerial level in the series. Positions at this level manage a large staff, typically through subordinate supervisors. ~~They~~ Incumbents, under general direction, plan, organize, coordinate, and direct multiple projects in one or more major governmental areas, and coordinate with departmental staff, various State, local, and Federal agencies, department directors, and major policy groups stakeholders. Incumbents ensure the consistent application of appropriate standards and policies.

MINIMUM QUALIFICATIONS

ALL LEVELS:

Education Requirement: A four-year college degree from an accredited institution. (Registration as a senior in a recognized institution will admit applicants to the examination, but they must produce evidence of graduation or its equivalent before they can be considered eligible for appointment.)

~~Experience Requirement: For competitors who wish to be given credit for outside experience, the four year college degree must be in either accounting, business administration, public administration, economics, mathematics, political science, law, accounting information systems,~~

~~management information systems, or in a related field. Possession of an advanced degree (Master's or Doctorate Degree) in the aforementioned subjects may be substituted for the required experience on the basis of work at the master's level being equivalent to one year of experience and work at the doctoral level to two years of experience.~~

FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR I,  
DEPARTMENT OF FINANCE

Either I

~~Eligibility to take the examination for Certified Public Accountant (CPA) as specified in the California Business and Professions Code, Section 5081. An undergraduate or graduate degree from an accredited institution and completion of a minimum of 12 semester units in accounting (excluding accounting courses in tax, real estate, human resources, report writing, and marketing). These courses can be taken at either undergraduate or graduate levels.~~

Or II

~~Equivalent to (1) a Master's or Doctorate Degree in Business Administration, Accountancy, Business Administration, Public Policy, Public Administration, Political Science, Accounting Information Systems, or Management Information Systems; (2) an advance degree in a related field that is strong in quantitative analysis with at least ten eight semester units of course work in quantitative subjects such as statistics and economics; or (3) a graduate law degree and ten semester units of course work in quantitative subjects such as statistics or economics.~~

Or III

~~Two years of increasingly responsible (1) professional experience in accounting, or auditing, management information systems, or related financial and/or performance consulting experience, which shall have included the preparation of reports and the presentation of recommendations to management; or (2) primary research or graduate level training in business administration, public administration, accounting, mathematics, political science, economics, law, accounting information systems or management information systems and 9 semester units in accounting (excluding accounting courses in tax, real estate, human resources, report writing, and marketing). These courses can be taken at either undergraduate or graduate levels.~~

ASSOCIATE FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE  
EVALUATOR II, DEPARTMENT OF FINANCE

Either I

~~One year Eighteen months of experience in the California state service performing the duties of a class at a level of responsibility at least equivalent to Finance Program Evaluator Financial and Performance Evaluator I, Department of Finance, Range C B. (Applicants who have completed six twelve months of service performing the duties as~~

specified above will be admitted to the examination, but they must satisfactorily complete ~~one year~~ eighteen months of this experience before they can be eligible for appointment.)

Or II

Three years of increasingly responsible professional accounting, or auditing, ~~accounting information systems, management information systems, or related financial and/or performance consulting~~ experience, which shall have included the preparation of reports and the presentation of recommendations to management. For at least ~~one year~~ 18 months, these responsibilities must have included duties at a level equivalent to a ~~Finance Program Evaluator~~ Financial and Performance Evaluator I, Department of Finance, Range € B.

STAFF FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR III, DEPARTMENT OF FINANCE

Either I

One year of experience in the California state service performing the duties of a ~~class at a level of responsibility at least equivalent to an Associate Finance Program Evaluator~~ a Financial and Performance Evaluator II, Department of Finance.

Or II

Four years of increasingly responsible professional accounting, or auditing, ~~management information systems, accounting information systems, or related financial and/or performance consulting~~ experience, which shall have included the preparation of reports and the presentation of recommendations to management. For at least one year, these responsibilities must have included duties at a level equivalent to an ~~Associate Finance Program Evaluator~~ a Financial and Performance Evaluator II, Department of Finance.

SENIOR FINANCE PROGRAM EVALUATOR SUPERVISOR - FINANCIAL AND PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

Either I

One year of experience in the California state service performing the duties of a ~~class at a level of responsibility at least equivalent to a Staff Finance Program Evaluator~~ a Financial and Performance Evaluator III, Department of Finance.

Or II

Two years of experience in the California state service performing the duties of a ~~class at a level of responsibility at least equivalent to an Associate Finance Program Evaluator~~ Financial and Performance Evaluator II, Department of Finance.

Or III

Five years of increasingly responsible professional accounting, or auditing, ~~accounting information systems, management information systems, or related financial and/or performance consulting~~ experience, which shall have included the preparation of reports and the presentation of recommendations to management. For at least ~~one year~~ two years, these responsibilities must have included duties at a

level equivalent to ~~an Associate Finance Program Evaluator~~ a Financial and Performance Evaluator II, Department of Finance. For at least one year, these responsibilities must have been in a supervisory capacity.

SUPERVISING FINANCE PROGRAM EVALUATOR MANAGER - FINANCIAL AND PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

Either I

One year of experience in the California state service performing the duties of a ~~class at a level of responsibility at least equivalent to a Senior Finance Program Evaluator Supervisor - Financial and Performance Evaluator, Department of Finance~~.

Or II

Two years of experience in the California state service performing the duties of a ~~class at a level of responsibility at least equivalent to a Staff Finance Program Evaluator~~. For at least one year, these responsibilities must have been in a supervisory capacity Financial and Performance Evaluator III, Department of Finance.

Or III

Five years of increasingly responsible professional accounting, ~~or auditing, accounting information systems, management information systems, or related financial and/or performance consulting~~ experience, which shall have included the preparation of reports and the presentation of recommendations to management. For at least two years, these responsibilities must have been in a supervisory capacity.

KNOWLEDGE AND ABILITIES

FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR I, DEPARTMENT OF FINANCE

Knowledge of: ~~Principles and practices of organizational management; general accounting and auditing principles and procedures; elementary statistics.~~ Within this classification, the incumbent is required upon entry to possess a basic knowledge of the following: Accounting principles; research, analytical and evaluative techniques to obtain relevant information; problem solving techniques; verbal communication fundamentals to gather and convey required information; effective writing skills to convey relevant information; and word-processing and spreadsheet tools to prepare work products. By 12 months, the incumbent is required to possess the additional knowledge of: Auditing procedures, and general and governmental accounting principles and procedures to complete assignments.

Ability to: ~~Learn and apply general and specialized accounting and management auditing principles and procedures as used in State Government; learn and apply standards of the auditing profession; review and analyze State and Federal laws and regulations, accounting records and controls, management and other related controls, and program data; conduct effective interviews with staff at all levels;~~

conclude as to the adequacy, completeness, accuracy, and fairness of financial data and/or financial statements; prepare clear, complete, and concise work papers and reports to effectively communicate results of work; effectively incorporate the use of microcomputers in performing evaluations and investigative tasks; gain and maintain the confidence and cooperation of those contacted during the course of work. Learn general and governmental accounting and auditing principles and procedures; analyze, comprehend, and interpret policies, procedures, laws, regulations, and guidelines; manage time and multiple priorities effectively; work both in a team environment and individually; adapt/transition to changing assignments and/or situations as required; maintain confidentiality of information; verbally summarize a variety of facts, data, and recommendations to all levels of staff, management, and clients; prepare written products that are grammatically correct and convey relevant information; maintain professionalism and tact when interacting with colleagues, supervisors, and clients; comply with office policies and procedures and departmental core values; and effectively utilize word-processing and spreadsheet tools to prepare work products. By 12 months, the incumbent is required to gain the additional abilities to: Clearly define objectives and develop appropriate approaches and methodologies; review and evaluate internal controls, accounting records, and program information; conclude as to the adequacy, completeness, and accuracy of financial data and/or other work products; organize and prepare work papers to create a clear, logical flow from the assignment objectives to the conclusions; prepare clear and concise written products; understand and follow directions; apply general and governmental accounting and auditing principles and procedures; and effectively conduct interviews, meetings, and presentations.

ASSOCIATE FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE  
EVALUATOR II, DEPARTMENT OF FINANCE

Knowledge of: All of the above, and current trends and problems in governmental management; functions, organizations, and practices of California Government; policy and organization theory and analysis; principles of electronic data processing; applications of probability sampling; cost effectiveness analysis; operations, procedures, and work standards of the office. Within this classification, the incumbent is required to possess a general knowledge of all the FPE I knowledge, in addition to the following: General standards and criteria issued by the AICPA, GAO, COSO, COBIT, IIA, and other authoritative bodies on financial matters; general consulting and evaluation procedures and standards to effectively complete a wide variety of complex assignments; operations, fiscal structures, and functions of Federal, State, and local government, nonprofit entities and a wide variety of industries to perform work assignments; California government operations, Uniform Codes Manual, State Administrative Manual, State Contracting Manual, CALSTARS, budget process, and other regulations, to effectively perform work assignments; basic group leadership and team building techniques to effectively lead assigned staff; and office administrative standards,

procedures, core values, and policies to complete high quality work products.

Ability to: ~~Apply the required knowledge; make investigations of accounting and financial organization procedures and problems; clearly define objectives and develop approaches and methodologies to meet those objectives; identify controversial or sensitive issues affecting the assignment; reason logically and creatively and use a variety of analytical techniques to resolve problems; develop and evaluate alternatives, make decisions and take appropriate action; act as a team leader.~~ Requires all of the FPE I abilities, in addition to: Use a variety of analytical techniques, auditing principles, consulting, and evaluating procedures to identify a wide range of issues and propose appropriate corrective actions; exercise a high degree of self-direction and independence in decision-making on sensitive and difficult assignments; reason logically and creatively to effectively complete difficult assignments on short notice; assume progressively greater responsibilities; exercise tact and good interpersonal skills; plan, direct, and coordinate the work of assigned staff to produce high quality work products; perform initial review of work papers and provide constructive feedback to assigned staff; participate in office committees and special task forces to review existing internal policies and provide recommendation to management for improvement; participate in the recruiting and examination processes to hire and promote staff.

STAFF FINANCE PROGRAM EVALUATOR FINANCIAL AND PERFORMANCE EVALUATOR  
III, DEPARTMENT OF FINANCE

Knowledge of: ~~All of the above, and the operation and reporting of other State and Federal control agencies; principles of data processing systems design, programming, operations, controls, and evaluation; primary research and scientific methods; program budgeting; and formal and informal aspects of the legislative process.~~ Within this classification, the incumbent is required to possess an advanced knowledge of all the FPE I and II knowledge, in addition to the following: Broad range of analytical and evaluative techniques to research and evaluate complex and sensitive assignments; project management skills and techniques to coordinate work assignments; and leadership and coaching principles and practices to develop staff. By 12 Months, the incumbent is required to develop expertise in a specified subject matter and/or specialty.

Ability to: ~~Apply the required knowledge; establish and maintain assignment priorities; complete comprehensive investigations of accounting, financial, and business organization procedures and recommend solutions to problems and issues; analyze complex problems and recommend effective courses of action; consult with and advise administrators and other interested parties on a variety of subject-matter areas.~~ Requires all of the FPE I and II abilities, in addition to: Exercise a high degree of initiative, judgment, independence, responsibility, and leadership on all assignments; acquire and develop skills in specific technical and complex subjects; plan, manage, and

complete the work of specialized, complex, sensitive, and/or open-ended assignments efficiently, effectively, and timely; analyze and research complex issues, develop and evaluate alternatives, make decisions, and recommend effective courses of action; identify risks and deficiencies in various industries and programmatic/technical areas, and determine cost-effective solutions; develop and recommend changes in assignment scope based on ongoing evaluation; obtain, interpret, and apply relevant and authoritative criteria as necessary; learn and apply concepts, terminology, and analytical techniques for a specified industry and/or work assignment; effectively review and edit written work products; communicate in a logical, clear, concise, persuasive, and professional manner during complex, contentious, and/or sensitive situations; effectively train and provide specialized subject-matter guidance and constructive feedback to staff, clients, and others; participate in office committees and sub-committees to effectively develop policies and procedures and provide recommendations to management.

SENIOR FINANCE PROGRAM EVALUATOR SUPERVISOR - FINANCIAL AND PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

Knowledge of: All of the above, and group leadership techniques; program planning, development and evaluation; principles and practices of employee supervision, development, and training; principles and practices of project management and coordination; applications of organizational and management theory; a supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment. Within this classification, the incumbent is required to possess an extensive knowledge of all the FPE I, II, and III, knowledge, in addition to the following: Principles and practices of employee supervision, development, and training; principles and practices of project management and coordination of work assignments; a supervisor's responsibility for promoting equal opportunity in hiring, employee development, and promotion; and maintaining a work environment that is free of discrimination and harassment; and teambuilding and coaching techniques to improve the work environment and to increase productivity, as needed.

Ability to: Apply the required knowledge; plan, organize, and direct the work of a staff engaged in a variety of complex, technical, management, operational, financial, and program audits and/or reviews; manage a complex research program comprising a number of research projects; work effectively with top-level managers of State agencies and other organizations; coordinate, prepare, review, and edit written reports; establish and maintain project priorities; assess staff performance and develop the skills and abilities of subordinate staff; and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment. Requires all of the FPE I, II and III abilities, in addition to: Plan, organize, and direct the work of staff engaged in a variety of assignments; effectively allocate resources and monitor assignment

progress; effectively assign, review, and edit written work products, reports, and correspondence; work effectively with clients, top-level managers, and executives of State and other organizations; gain and maintain the confidence of others to promote staff morale and improve working relationships with staff, clients, and others; effectively assess staff skills and abilities; maintain flexibility with changing assignments and priorities, maintain a work environment that is free from discrimination and harassment, and promote equal opportunity in hiring, employee development, and employee advancement; and support and enforce established office policies and procedures, ethical behavior, and DOF core values.

SUPERVISING FINANCE PROGRAM EVALUATOR MANAGER - FINANCIAL AND PERFORMANCE EVALUATOR, DEPARTMENT OF FINANCE

Knowledge of: All of the above, and the organization and practices of the Legislature and Executive Branch; principles, practices, and trends of public administration, organization, and management; techniques of organizing and motivating groups; methods of administrative problem solving; a manager's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment. Within this classification, the incumbent is required to possess an extensive knowledge of all the FPE I, II, III, and Supervisor knowledge in addition to the following: Fiscal structure and practices of Federal, State, and local government, and nonprofit entities to effectively carry out the department's goals, mission, and strategic plan; principles, practices, and emerging issues of auditing, evaluating, consulting public administration, organization, and management in order to maintain and improve the organization; techniques of organizing and motivating groups to promote staff morale and improve working environment; principles and practices of personnel management to effectively solve problems to maintain the operation; a manager's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment; project management techniques in order to effectively manage projects to successful conclusion; and principles of effective verbal, written, and group communication to accurately and effectively to convey job related information.

Ability to: Apply the required knowledge; plan; organize, and direct the work of multidisciplinary professional staff engaged in a variety of complex assignments; appear and make presentations before legislative and other groups; develop cooperative working relationships with representatives of all levels of government, the public, and the Legislative and Executive Branches; prepare, review, edit, and defend reports; identify the need for and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment. Requires all of the FPE I, II, and III and Supervisor abilities, in addition to: Plan, organize, and direct the work of professional and technical

staff engaged in a variety of complex assignments; appear and make presentations before legislative and other groups; develop and foster cooperative working relationships with representatives of all levels of government, the public, and clients; review, edit, and defend work products; identify the need for and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment; effectively communicate the availability and value of OSAE services and develop projects; effectively prepare and monitor interagency agreements and manage reimbursements; review, analyze, and evaluate fiscal, program, and policy proposals; actively manage/participate in specific administrative and professional development functions, such as Quality Control, Training, Recruitment, and CPA Committees; IIA, AGA, and Board of Accountancy; communicate OSAE's and the Department's core values, goals, and mission; develop annual production and assignment plans; and resolve interpersonal conflicts with staff and clients.

#### SPECIAL PERSONAL REQUIREMENTS

ALL LEVELS:

Ability to qualify for a fidelity bond; Willingness to travel to worksites away from headquarters which could require extended hours of work and/or overnight or multiple-day trips on a continuous basis; respond to changes in the work unit or on the work crew in a positive, professional manner and work away from the headquarters office and work long and irregular hours; demonstrated ability to act independently; open mindedness; flexibility; and tact.

#### ADDITIONAL DESIRABLE QUALIFICATIONS

ALL LEVELS:

Ability to use ~~word processing and spreadsheet~~ database software.

CLASS HISTORY

| <u>Class</u>  | <u>Date<br/>Established</u> | <u>Date<br/>Revised</u> | <u>Title<br/>Changed</u> |
|---|-----------------------------|-------------------------|--------------------------|
| <del>Finance Program Evaluator</del><br><u>Financial and Performance</u><br><u>Evaluator I, Department of</u><br><u>Finance</u>                     | 4/12/73                     | 1/5/99                  | 1/5/99                   |
| <del>Associate Finance Program</del><br><u>Evaluator Financial and</u><br><u>Performance Evaluator II,</u><br><u>Department of Finance</u>          | 4/12/73                     | 1/5/99                  | 1/5/99                   |
| <del>Staff Finance Program Evaluator</del><br><u>Financial and Performance</u><br><u>Evaluator III, Department of</u><br><u>Finance</u>             | 4/12/73                     | 1/5/99                  | 1/5/99                   |
| <del>Senior Finance Program Evaluator</del><br><u>Supervisor - Financial and</u><br><u>Performance Evaluator,</u><br><u>Department of Finance</u>   | 4/12/73                     | 1/5/99                  | 1/5/99                   |
| <del>Supervising Finance Program</del><br><u>Evaluator Manager - Financial</u><br><u>and Performance Evaluator,</u><br><u>Department of Finance</u> | 4/12/73                     | 1/5/99                  | 1/5/99                   |

## ALTERNATE RANGE CRITERIA 400

Range A. This range shall apply to incumbents who do not meet the criteria for payment in any other range.

Range B. This range shall apply to persons who have satisfactorily completed either: (1) the equivalent of six months of ~~Finance Program Evaluator~~ Financial and Performance Evaluator I, Department of Finance Range A; or (2) ~~one year~~ two years of increasingly responsible of professional experience in accounting, and/or auditing which shall have included the preparation of reports and the presentation of recommendations to management, management information system, or related financial and/or performance consulting and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (3) ~~a Graduate Master's degree from an accredited institution and completion of a minimum of 9 semester units in accounting (excluding accounting courses in tax real estate, human resources, report writing, and marketing).~~ in Business Administration, Public Administration, Political Science, or related field. These courses can be taken at either undergraduate or graduate levels.

Range C. ~~This range shall apply to persons who have satisfactorily completed either: (1) the equivalent of 12 months of Finance Program Evaluator, Range B, or (2) satisfactorily completed two years of professional experience in accounting, auditing, management information system, or related financial and/or performance consulting and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (3) a Master's degree in Accountancy, Public Policy, Management Information Systems, or a related field that is strong in quantitative analysis such as statistics and economics; or (4) a Master's degree in Business Administration and be eligible to take the examination for Certified Public Accountant as specified in the California Business and Professions Code, Section 5081; or (5) a doctorate degree in Business Administration, Accountancy, Public Administration, Public Policy, Political Science, Law, Sociology, Management Information Systems, or related field; or (6) a valid Certified Public Accountant license.~~

When the requirements for the particular criteria are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of Section 599.674, except that upon movement to Range ~~C~~ B, the provisions of Section 599.676 will apply.

**STATE PERSONNEL BOARD**

**NON-HEARING CALENDAR**

**RE: BOARD DATE JANUARY 9, 2007**

(Cal. 1/9/07)

**MEMO TO :** STATE PERSONNEL BOARD

**FROM :** KAREN COFFEE, Chief, Merit Employment and  
Technical Resources Division

**SUBJECT :** Non-Hearing Calendar Items for Board Action

Page**TAX AUDITOR, EMPLOYMENT DEVELOPMENT DEPARTMENT**

201

The Employment Development Department (EDD) proposes the establishment of the Tax Auditor, EDD deep class with a one-year probationary period. In conjunction, EDD proposes the following: the establishment of Alternative Range Criteria 446; abolish the classification of Tax Auditor II, EDD; change the existing title of Tax Auditor III, EDD, to Associate Tax Auditor, EDD; change the existing title of Tax Auditor IV, EDD to Staff Tax Auditor, EDD; reallocate affected incumbents; and revise the Tax Auditor/Tax Supervisor, EDD series specification to reflect the classification changes noted above and to update the terminology used in the specification.

**INTEGRATED WASTE MANAGEMENT SPECIALIST**

225

The California Integrated Waste Management Board (CIWMB) requests to add a new classification titled, Integrated Waste Program Manager, to the existing Integrated Waste Management Specialist classification series, to recognize the managerial responsibilities within the series.

**SENIOR MECHANICAL ENGINEER, CALTRANS (SPECIALIST)**  
**SENIOR MECHANICAL ENGINEER, CALTRANS (SUPERVISOR)**

243

The California Department of Transportation (Caltrans) proposes to broaden the current minimum qualifications for the classes of Senior Mechanical Engineer, Caltrans (Specialist) and Senior Mechanical Engineer, Caltrans (Supervisor) by including the class of Mechanical Engineer, Range D, which will allow departmental employees in the class of Mechanical Engineer to compete in the examinations for the above mentioned classes.

**ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW**

252

As recommended by the court appointed Special Master, as a result of a federal district court decision (Madrid v. Tilton), the Office of Inspector General (OIG) and the Department of Personnel Administration (DPA) propose the establishment of a new civil service class series titled Assistant Inspector General, Bureau of Independent Review (BIR) consisting of the following classes: Special Assistant Inspector General, Bureau of Independent Review; Senior Assistant Inspector General, Bureau of Independent Review; and Chief Assistant Inspector General, Bureau of Independent Review; each class established with a twelve month probation period.

(January 9, 2007)

TO: STATE PERSONNEL BOARD

FROM: David Rechs  
Personnel Program Analyst  
Department of Personnel Administration

REVIEWED BY: Debra Thompsen  
Personnel Program Manager

SUBJECT: Proposed establishment of the TAX AUDITOR, EMPLOYMENT DEVELOPMENT DEPARTMENT deep class with a one-year probationary period; establishment of Alternate Range Criteria \_\_; various title changes and minor specification changes to the Tax Auditor/Tax Supervisor, Employment Development Department, series specification; abolishment of the Tax Auditor II, Employment Development Department classification; and reallocation of affected incumbents.

SUMMARY OF ISSUES:

The Employment Development Department (EDD) requests the establishment of a new deep class of Tax Auditor, EDD, with a one-year probationary period, to be used as the recruitment and training level for entry into the Tax Auditor, EDD series. Currently, the EDD uses the servicewide Auditor I classification for entry into the Tax Auditor, EDD series, which begins at the Tax Auditor II, EDD, level. Generally, after serving a one-year probationary and training period, Auditors I are typically promoted to Tax Auditor II. Because Auditor I and Tax Auditor II, EDD, are two separate classes within the same career path, a competitive examination is required for upward movement. The establishment of a new deep class of Tax Auditor, EDD will provide management with the ability to move employees between alternate ranges without the need to go through the competitive examination process.

In conjunction with the establishment of this proposed new deep class, the EDD also proposes to:

1. Abolish the class of Tax Auditor II, EDD; change the existing titles of Tax Auditor III, EDD, to Associate Tax Auditor, EDD, and the Tax Auditor IV, EDD to Staff Tax Auditor, EDD, to maintain uniformity with the Tax Auditor deep classes used by Franchise Tax Board (FTB) and the Board of Equalization (BOE); and reallocate affected incumbents.
2. Revise the Tax Auditor/Tax Supervisor, EDD series specification to reflect the classification changes noted above and to update the terminology used in the specification.

## CONSULTED WITH:

Linda Bucchioni, EDD  
 Greg Goforth, EDD  
 Cynthia Henderson, EDD  
 Margarita Maldonado, SEIU  
 Jennifer Roche, SPB

In accordance with the terms of the DPA/SEIU contract, the DPA has notified the union in writing of this proposal.

## CLASSIFICATION CONSIDERATIONS:

1. Background

The EDD offers a wide variety of services to millions of Californians under the Job Service, Unemployment Insurance, Disability Insurance, Workforce Investment and Labor Market Information programs. As California's largest tax collection agency, EDD also handles the audit and collection of payroll taxes and maintains employment records for more than seventeen million California workers. As one of the largest state departments with over 7,000 full time employees, EDD has hundreds of service locations throughout the state.

The Auditor I and Tax Auditor, EDD classes are used by the EDD in both the Tax Branch and the Unemployment Insurance Branch (UIB).

The Tax Branch is one of the major tax revenue agencies for the State of California, collecting more than \$35 billion annually from over one million California employers who employ nineteen million workers. The Branch ensures that employers promptly and accurately report data and pay revenues necessary to support services and benefits provided by the Unemployment Insurance (UI), Disability Insurance (DI), Employment Training Tax, and Personal Income Tax (PIT) withholding programs. Tax Branch uses the Tax Auditor series primarily in the Field Audit Compliance Division (FACD) that has its auditors located both in central office and field office settings throughout the state. The mission of the Tax Branch's Audit Program is to.

- Provide the employer community with education and assistance pertaining to employment tax laws and regulations.
- Safeguard workers' rights.
- Promote fair competition amongst businesses, and
- Maximize voluntary compliance with the state's tax system.

The UIB works closely with other entities, under a Federal and State partnership, to provide temporary wage replacement to individuals who have been displaced from employment and are actively seeking employment. The UIB uses the Tax Auditor series in the Insurance Accounting Division (IAD) and has its auditors located in a central office location. The IAD uses this classification to complete obstructed claim investigations resulting from requests for reconsideration of the Department's initial computation of UI or DI benefits to be paid. This classification also investigates

issues related to employer protests to the Notice of Wages Used on UI Claim and researches responses from employers to Wage Notices, which helps the employer community as well as expediting payment of benefits to claimants who are eligible for UI compensation.

## 2. Need for the New Class

The EDD currently uses the servicewide Auditor I classification for hiring new auditors at the recruitment and training level. All EDD Auditor I positions are filled with the expectation that, by the end of the 12 month probationary training period, the incumbent will either be qualified for promotion to Tax Auditor II, EDD, or will be rejected on probation. Upward movement to Tax Auditor II, EDD is virtually automatic. However, because these are two separate classifications, a competitive civil service examination is required to obtain the higher-level status. The cost of recruiting and conducting a promotional exam for the Tax Auditor II, EDD class, which is virtually automatic, is no longer feasible. The downturn in the state's financial condition in recent years has created an awareness of the need for EDD to continually look for cost-saving opportunities where warranted.

The duties of the Auditor I and Tax Auditor II, EDD are distinguished primarily by the level of difficulty of the audit assignments, with the expectation that Auditors I are provided direct supervision and training for one year and that Tax Auditors II, EDD perform the full journey-level duties.

## 3. Deep Class Concept

The criteria for determining when two or more classes may appropriately be consolidated into a deep class are: (1) promotion to the highest level in the deep class is virtually automatic, as shown below; and (2) a single test of fitness can be used for the classes included in the deep class.

The classes of Auditor I and Tax Auditor II, EDD, meet these criteria. However, because Auditor I is a servicewide class, the EDD proposes to establish a new class entitled Tax Auditor, EDD, consolidating the class concept of Auditor I and Tax Auditor II, EDD, into a single deep class to be used as the entry /training and journey level of the Tax Auditor, EDD series.

### TAX AUDITOR II, EDD APPOINTMENTS FROM CERT LIST

| <u>Date of Tax Auditor II,<br/>EDD Exam</u> | <u>No. of<br/>Eligibles</u> | <u>No. Appointed from<br/>Certification List</u> |
|---|-----------------------------|--|
| November 2004                               | 15                          | 15   |
| April 2005                                  | 9                           | 8*   |
| November 2005                               | 4                           | 4  |

\*One candidate lateraled to Tax Auditor II, EDD, based on other transfer eligibility.

## 4. Title Changes

In recognition of the abolishment of Tax Auditor II, EDD classification and to maintain uniformity in the Tax Auditor, EDD series specification, the EDD proposes to retitle

the existing classifications of Tax Auditor III and IV, EDD, to Associate Tax Auditor and Staff Tax Auditor, EDD respectively. This title change also makes the series consistent with the Tax Auditor series at BOE and FTB.

#### 5. Specification Revisions

The EDD proposes minor wording changes to the Tax Auditor/Tax Supervisor, EDD series specification to: 1) correctly reflect the changes noted in this proposal; 2) update the terminology contained in the existing series specification; and 3) clean-up the existing "Minimum Qualifications", where necessary, in the series specification.

#### PROBATIONARY PERIOD:

A one-year probationary period is recommended for the proposed new Tax Auditor, EDD, deep class. This is consistent with the State Personnel Board's standards which allow for a twelve-month probationary period when the nature of the work is such that an incumbent's performance cannot be properly evaluated within a six-month period. This is also consistent with the probationary period for the Auditor I classification and is necessary to assess the performance and capabilities of appointees. During the probationary period, as the skills and expertise of Tax Auditors, EDD, progress, they will assist higher-level Auditors on difficult audit assignments.

#### EMPLOYEE STATUS CONSIDERATIONS:

This proposal will not adversely impact the status of employees, nor will it change or disrupt the discretionary movement of employees to or from the levels within the proposed new Tax Auditor, EDD, deep class from that currently existing between the Auditor I servicewide and Tax Auditor II, EDD, classes.

Incumbents in the classes of Auditor I and Tax Auditor II, III, and IV, EDD, will be reallocated to the appropriate proposed new or retitled class, effective the date of State Personnel Board action and retain their existing status, probationary period expiration dates, and merit salary adjustment dates as illustrated below:

#### EMPLOYEE MOVEMENT

| <u>From</u>          | <u>To</u>                  | <u>No. of Pos.</u> |
|----------------------|----------------------------|--------------------|
| Auditor I            | Tax Auditor, EDD, Range A  | 18                 |
| Tax Auditor II, EDD  | Tax Auditor, EDD, Range B  | 24                 |
| Tax Auditor III, EDD | Associate Tax Auditor, EDD | 95                 |
| Tax Auditor IV, EDD  | Staff Tax Auditor, EDD     | 71                 |

The Tax Auditor II, EDD, classification will be abolished and the Tax Auditor III and IV, EDD, classes will be appropriately retitled once all incumbents are reallocated to the proposed new or retitled class.

#### RECOMMENDATIONS:

1. That the proposed deep class of Tax Auditor, EDD, Ranges A and B, be established; the proposed series specification, as shown in this calendar, be adopted; the probationary period for the Tax Auditor, EDD, class be twelve months; and that all appointments of this class that require a probationary period and that are effective on or after \_\_\_\_\_ shall require service of a twelve-month probationary period before an employee may attain permanent status in the class.
2. That Alternate Range Criteria \_\_\_\_\_ be established, effective \_\_\_\_\_ as shown below.

### ALTERNATE RANGE CRITERIA

Upon entering the class of Tax Auditor, Employment Development Department, or after entering and upon completion of the requirements, employees shall be eligible for appointment to the appropriate range in terms of the following criteria:

Experience gained outside California state service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of Tax Auditor, Employment Development Department.

Range A. This range shall apply to individuals who do not meet the criteria for payment at Range B.

Range B. This range shall apply to individuals who have satisfactorily completed the following:

Experience:

Either I

One year of experience in the California state service performing professional accounting or auditing duties at a level equivalent to Tax Auditor, Employment Development Department, Range A and completion of the educational requirements described below. Or

Or II

Two years of experience outside of California state service performing increasingly responsible professional tax accounting, or tax consulting and planning, or auditing experience equivalent to Tax Auditor, Employment Development Department, Range A and completion of the educational requirements described below.

And

Education:

Either I

Equivalent to graduation from college with a specialization in accounting.

Or II

Completion of either (1) a prescribed professional accounting curriculum given by a residence or correspondence school of accountancy, including courses in elementary and advanced accounting, auditing, cost accounting, and business law; or (2) the equivalent of 19 semester units, 16 semester units of which must have been professional accounting courses given by a collegiate grade residence institution including courses in elementary and intermediate or advanced accounting, auditing, and cost accounting, and three semester hours of business law.

When the requirements for a particular criterion are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of DPA Rule 599.676.

3. That the titles of the following classes be changed and adopted as shown below:

| <u>From</u>          | <u>To</u>                  |
|----------------------|----------------------------|
| Tax Auditor III, EDD | Associate Tax Auditor, EDD |
| Tax Auditor IV, EDD  | Staff Tax Auditor, EDD     |

4. That the following resolutions be adopted:

- a. WHEREAS the State Personnel Board, on \_\_\_\_\_, established the class indicated below in Column II and the duties and responsibilities of the class are substantially included in the previously existing classes indicated below in Column I; and

WHEREAS the knowledges and abilities required for the class indicated in Column II were substantially tested for in the examinations held for classes listed in Column I: Therefore be it

RESOLVED, That all positions in the EDD now in classes in Column I be reallocated to the classes in Column II, as indicated, and that all persons within the EDD with civil service status in the classes in Column I on \_\_\_\_\_, shall be reallocated to the appropriate class in Column II, and be hereby granted civil service status, without further examination, in the classes in Column II, effective on the first of the pay period following board action: and be it further

| <u>Column I</u>     | <u>Column II</u>          |
|---------------------|---------------------------|
| Auditor I           | Tax Auditor, EDD, Range A |
| Tax Auditor II, EDD | Tax Auditor, EDD, Range B |

- b. WHEREAS State Personnel Board Rule 431 states, "Unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparisons" ; and

WHEREAS salary ranges within the new class of Tax Auditor, EDD are being established comparable to those of the existing servicewide class of Auditor I and to replace that of the previously existing class of Tax Auditor II, EDD: Therefore be it

RESOLVED, That for the class of Tax Auditor, EDD, the maximum currently authorized for Range B of the class shall be the salary range used to make salary comparisons for mandatory actions.

5. That the class of Tax Auditor II, EDD, be abolished.

## B. CLASSIFICATION CONSIDERATIONS

Instructions: Complete only if Concept (Part A) approved by DPA. Include headings (Background, Classification Considerations, etc.) if using additional paper. Only complete applicable questions (i.e., provide enough information to support the proposal). Respond to each of these questions and return with signed-off transmittal to your DPA and SPB Analysts.

### BACKGROUND

**1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.**

The EDD has identified a disparity in the Auditor series being used by three state departments: EDD, Franchise Tax Board (FTB), and Board of Equalization (BOE). Specifically, all three departments' Auditor series require comparable job duties and responsibilities; however, FTB and BOE utilize a deep class concept for their entry and first journey-level class while EDD does not. The following illustrates the disparity:

| EDD                 | FTB/BOE             | Description   |
|---------------------|---------------------|---|
| Auditor I           | Tax Auditor Range A | An entry and training level for the series.   |
| Tax Auditor II, EDD | Tax Auditor Range B | First journey level in the series & virtually automatic upon completion of one-year experience as Tax Auditor I or Tax Auditor Range A at FTB and BOE.<br>However, EDD requires the passing of the Department's Education & Experience promotional exam to attain the Tax Auditor II, EDD classification. |

The downturn in the state's financial condition in recent years has created an awareness of the need for EDD to continually look for cost-saving opportunities. This led to the realization that the deep class concept that FTB and BOE were using could easily be adapted by EDD and would save the cost of recruiting and conducting a promotional exam for the TA II, EDD class. Establishing a deep class at the Tax Auditor level will allow EDD to align and be consistent with FTB and BOE.

The EDD currently uses the service wide classification of Auditor I as the recruiting and training level into the Tax Auditor series. All Auditor I and TA II, EDD positions are interchangeable and allocated at the TA II, EDD level. TA II, EDD positions are initially filled at the Auditor I level with the expectation that by the end of the 12-month probationary period, the incumbent will be qualified for promotion to TA II, EDD.

The Auditor I and Tax Auditor, (TAud II) Employment Development Department (EDD), classes are used by the EDD in both the Tax Branch and the Unemployment Insurance Branch (UIB).

The Tax Branch is one of the major tax revenue agencies for the State of California, collecting more than \$35 billion annually from over one million California employers who employ over 19 million workers. The Branch ensures that employers promptly and accurately report data and pay revenues necessary to support services and benefits provided by the Unemployment Insurance (UI), Disability Insurance (DI), Employment Training Tax, and Personal Income Tax (PIT) withholding programs. Tax Branch uses the Tax Auditor series primarily in the Field Audit Compliance Division (FACD) that has its auditors located both in central office and field office settings throughout the state. The mission of the Tax Branch's Audit Program is to:

- Provide the employer community with education and assistance pertaining to employment tax laws and regulations,
- Safeguard workers' rights,
- Promote fair competition amongst businesses, and

- Maximize voluntary compliance with the state's tax system.

The UIB works closely with other entities, under a Federal and State partnership, to provide temporary wage replacement to individuals who have been displaced from employment and are actively seeking employment. The UIB uses the Tax Auditor series in the Insurance Accounting Division (IAD) and has its auditors located in a central office location. The IAD uses this classification to complete obstructed claim investigations resulting from requests for reconsideration of the Department's initial computation of UI or DI benefits to be paid. This classification also investigates issues related to employer protests to the Notice of Wages Used on UI Claim and researches responses from employers to Wage Notices, which helps the employer community as well as expediting payment of benefits to claimants who are eligible for UI compensation.

## CLASSIFICATION CONSIDERATIONS

### 2. What classification(s) does the subject class(es) report to?

Within the Tax Branch, the Incumbents in the class of Tax Auditor report to Supervising Tax Auditor I, (EDD) or Tax Administrator I, EDD.

Within the UIB/IAD, the incumbents in the class of Tax Auditor report to Senior Accounting Officer (Supervisor).

### 3. Will the subject class(es) supervise? If so, what class(es)?

Incumbents in the proposed class will not supervise.

### 4. What are the specific duties of the subject class(es)?

Tax Auditors in the Tax Branch perform the following functions:

- Interpret and apply provisions of the California Unemployment Insurance Code, California Code of Regulations – Title 22, California Labor Code, and California Unemployment Insurance Appeals Board decisions for assigned benefit and wage investigations.
- Apply provisions of the Internal Revenue Code and other California Codes, e.g., Revenue and Taxation Code, Labor Code, Business and Professions Code, etc., as they relate to the programs administered by the EDD.
- Review business entities to ensure compliance with the provisions of the California Unemployment Insurance Code (CUIC) with respect to UI, Employment Training Tax, DI, and PIT withholdings.
- Conduct uniform audits and investigations of employer records and perform special and complex assignments related to the field audit or investigation.
- Detect and deter employment tax violations in the underground community in order to protect the rights of workers and increase voluntary compliance.
- Provide frontline services to employers regarding tax requirement information, escrow clearances, general tax assistance, etc.
- Provide education and outreach services such as one-on-one employer consultations, employer tax seminars, etc.
- Conduct support functions such as providing input to legislation, regulations, rulings, etc. that impact the Branch audit and tax programs; responding to offers in compromise or settlement offers from employers; attending hearings related to employment tax; acting as an ombudsman to ensure employers are treated equally and fairly; interpreting and developing tax auditing procedures, etc.

Tax Auditors in the UIB perform the following functions:

- Interpret and apply provisions of the California Unemployment Insurance Code, California Code of Regulations – Title 22, California Labor Code, and California Unemployment Insurance Appeals Board (CUIAB) decisions for assigned benefit and wage investigations.
- Work with the employer and claimant communities to analyze, examine, and evaluate all available records for assigned benefit and wage investigations.
- Prepare monetary determinations to resolve UI and DI benefit obstructed claims.
- Ensure that allowed wages result in accurate charges to an employer's reserve account.
- Represent the department at wage and benefit hearings before the CUIAB.
- Investigate all pertinent leads by communicating with employers or their representatives, claimants, Area Audit Office (AAO) staff, and other sources to secure relevant facts.
- Partner with Tax Branch's FACD to identify audit leads of employers with wage reporting issues, potentially misclassified workers, or suspected underground economy practices.
- Issue Wage Notices as requested by employers or EDD field offices when they become aware of a planned plant closure or mass staff layoff. Responses to the Wage Notices provide general information to EDD staff regarding separation status and payments received by employees at the time they become unemployed.

#### **5. What is the decision-making responsibility of the subject class(es)?**

Tax Auditors in the Tax Branch have duties and responsibilities that require them to gather facts and apply various laws in order to make proper common law and statutory decisions on workers' employment status, subject wages, taxability of remuneration for UI/DI benefits and PIT withholding purposes. Based on the decisions made during the audit process, the Tax Auditors will make the appropriate accounting entries to correct the reporting errors found. The Tax Auditors also conduct exit interviews explaining the findings and advising the employer of the appropriate procedure for correct reporting in the future.

The Auditor I in UIB/IAD perform the less difficult obstructed claims investigations resulting from requests for reconsideration of the Department's initial computation of UI and DI benefits. Investigate issues related to employer protests to the Notice of Wages Used on UI Claim, DE1545, and the investigation, preparation and electronic distribution of Wage Notices.

The Auditor II in UIB/IAD is responsible for completing obstructed claim investigations, of average difficulty from requests for reconsideration of the Department's initial computation of UI and DI benefits, investigating issues related to employer protest to the Notice of Wages Used on UI Claim, DE1545, assists in the development of policy, standards, forms and procedures related to UI Wages Notices, and assists in the training and review of staff assigned to the above workloads.

#### **6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)**

Within the Tax Branch, the consequence of error could be erroneous wage and status determinations, which could affect:

- The eligibility of a claimant to receive or not receive UI or DI benefits;
- Over or under payment of UI or DI benefits to claimants;
- Erroneous assessment or under-assessment of state payroll taxes;
- Unnecessary tax and benefit hearings;
- Public complaints

Within the UIB/IAD, the consequence of error could cause the following:

- Incorrect decision can result in claimant not receiving the correct monetary award.
- Employer's reserve accounts would be improperly charged.
- Not attending an appeal hearing can result in the Department losing a case.
- If wage investigation is not completed, the claimant will not be paid their award or award will not be correct.
- Incorrect Wage Notices can result in non-compliance with State and Federal Laws and regulations, as they relate to the Unemployment Insurance Program.

#### **7. What are the analytical requirements expected of incumbents in the subject class(es)?**

Tax Branch - Apply auditing principles and procedures; apply the provision of the CUIC and the Revenue and Taxation Code and applicable regulations; apply legal opinions, court and CUIAB decisions and departmental policies and procedures; analyze situations accurately and adopt an effective course of action; reason logically and creatively in unique situations; conduct audits or financial examinations of accounts and records; create findings critical in nature or indicating additional tax liability; analyze data and draw sound conclusions.

UIB/IAD – Independently investigate and resolve UI and DI obstructed claims by examining, analyzing and evaluating all available records pertinent to cases under investigation; understand, interpret and apply provisions of CUIC, Title 22, California Code of Regulations, Department policies, rules and regulations; prepare monetary determinations to clear obstructed claims; represent and the Department at Wage and Benefit Hearings before the CUIAB Administrative Law Judges; ensure that wages allowed result in proper charges to employer's reserve accounts.

#### **8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?**

Tax Branch - In the course of conducting state EDD business, Tax Auditors will be meeting with claimants, employers, accountants, bookkeepers, certified public accountants, attorneys, payroll agents, professional employee organizations, labor representatives, business owners, other government officials and representatives, administrative law judges, district attorneys, etc. Contacts may be in person, by telephone, or in writing to gather facts, data, and information necessary to perform tax compliance and status determination activities related to their assignments. The Tax Auditors may be called upon to testify in legal tax, and/or criminal proceedings before the CUIAB or other courts of jurisdiction.

UIB/IAD - The Tax Auditors communicate with employers to obtain wage information on claimants to complete wage investigations; UI/DI claimants to clarify wage issues and employers they have worked for; Tax Branch's Area Audit Office for special wage investigation cases that are transferred; UI/DI Field Offices to clarify issues regarding request for investigation; Office of Appeals regarding schedule for benefit hearings; and represent the Department at benefit hearings in front of the Administrative Law Judge.

NEED FOR NEW CLASS (if necessary)

#### **9. For New classes only: what existing classes were considered and why were they not appropriate?**

#### **MINIMUM QUALIFICATIONS**

#### **10. What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)**

The EDD is proposing the following: Revise the current Tax Auditor II, EDD class to establish the deep class of Tax Auditor, EDD, Range A and B.

Currently the EDD hires at the Auditor I level for recruitment and training purposes. All Auditor I and TA II, EDD positions are interchangeable and allocated at the TA II, EDD level. TA II, EDD positions are initially filled at the Auditor I level with the expectation that by the end of the 12-month probationary period, the incumbent will be qualified for promotion to TA II, EDD.

The EDD proposes establishing the deep class of Tax Auditor, EDD, with Range A being the entry and training level and Range B being the first journey level in the class series. Establishing the deep class will eliminate the need for the EDD to conduct separate exam and recruitment efforts for the Auditor and TA II, EDD classes. The examination process results in significant costs. Because the promotion is virtually automatic, the Department cannot justify the cost of the exam process in terms of both time and money. In addition, establishing the deep class will also enhance the upward mobility and retention efforts in the audit series. This proposed deep class meets the criteria for consolidating two or more classes into a deep class because (1) promotion to the highest level of the deep class is virtually automatic and (2) a single test of fitness can be used for the classes included in the deep class.

Establishing the TA II, EDD as a deep class will enhance the EDD's recruitment, upward mobility, and affirmative action efforts and reduce the number of exams required. In conjunction with the establishment of the proposed new deep class, the EDD also proposes to: (1) no longer use the statewide Auditor I class, (2) revise the Tax Auditor II, EDD specification to reflect the classification changes noted above and update the terminology used in the specification, and (3) reallocate affected incumbents.

Establishing a deep class at the Tax Auditor level will allow EDD to align and be consistent with FTB and BOE. Below are the existing Minimum Qualifications (MQs) of the Tax Auditor class for BOE, FTB and the proposed MQs for Tax Auditor, EDD:

| Tax Auditor, BOE   | Tax Auditor, FTB | Tax Auditor, EDD (proposed) |
|--|------------------|-----------------------------|
| <p>Education Requirements: Equivalent to graduation from college, with a specialization in accounting. (Registration as a senior student in a recognized institution will admit applicants to the examination; however, evidence of successful completion of the curriculum and the prescribed courses must be produced before being considered eligible for appointment.)</p> <p>Or II</p> <p>Completion of either:</p> <ul style="list-style-type: none"> <li>a. A prescribed professional accounting curriculum given by residence or correspondence school of accounting including courses in elementary and advanced accounting, auditing, cost accounting, and business law; or</li> <li>b. The equivalent of 19 semester units, 16 unit of which must have been professional accounting courses given by a collegiate-grade residence institution including courses in elementary and intermediate or advanced accounting, auditing, and cost accounting, and three semester units of business law.</li> </ul> <p>(Applicants who will complete course work requirements outlined under a and b above during the current quarter or semester will be admitted to the examination; however, evidence of successful completion of the curriculum and the prescribed courses must be produced before being</p> | <p>Same</p>      | <p>Same</p>                 |

|  |  |  |
|--|--|--|
| considered eligible for appointment.)  |  |  |
| <p>Proposed minimum qualifications:</p> <p>ALL LEVELS:</p> <p>Education Requirements: The following educational background is required of all competitors for the class Tax Auditor II and for competitors who are competing for other classes under the non-State service experience patterns:</p> <ol style="list-style-type: none"> <li>1. Equivalent to graduation from college, with a specialization in accounting; or</li> <li>2. Completion of either:               <ol style="list-style-type: none"> <li>a. A prescribed professional accounting curriculum given by a residence or correspondence school of accountancy, including courses in elementary and advanced accounting, auditing, cost accounting, and business law; or</li> <li>b. The equivalent of sixteen semester hours of professional accounting courses given by a collegiate-grade residence institution, including courses in elementary and advanced accounting, auditing, and cost accounting; and three semester hours of business law.</li> </ol> </li> </ol> <p>TAX AUDITOR II, EMPLOYMENT DEVELOPMENT DEPARTMENT</p> <p style="text-align: center;">Either I</p> <p><u>Equivalent to graduation from college, with a specialization in accounting. (Registration as a senior student in a recognized institution will admit applicants to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.) One year of experience in the California state service performing professional accounting or auditing duties of a class with a level of responsibility equivalent to that of Auditor I. (Applicants who meet the educational requirement and who have completed six months of service performing accounting or auditing duties of a class with a level of responsibility equivalent to that of Auditor I will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be considered eligible for appointment.)</u></p> <p style="text-align: center;">Or II</p> <p><u>Completion of a prescribed professional accounting curriculum* given by a residence or correspondence school of accountancy including courses in elementary and advanced accounting, auditing, cost accounting, and business law. Experience: Two years of increasingly responsible professional tax accounting or auditing experience. (Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of Auditor I.)</u></p> <p style="text-align: center;">Or III</p> <p><u>Completion of the equivalent of 19 semester units of course work, 16 units of which shall be professional accounting courses given by a collegiate-grade residence institution including courses in elementary and advanced accounting, auditing and cost accounting; and three semester units of business law. (Applicants who will complete course work requirements outlined under II and III above during the current quarter or semester will be admitted to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.)</u></p> |  |  |

~~Education: The educational requirements described above.~~

\* "Professional accounting curriculum" means core accounting courses that are the required courses needed to obtain a certificate or an Associate of Arts or Bachelors Degree in Accounting. Unacceptable courses would include mathematics, statistics, data processing, bookkeeping, marketing, and Introduction to Accounting.

#### ASSOCIATE TAX AUDITOR-III, EMPLOYMENT DEVELOPMENT DEPARTMENT

Either I

One year of experience in the California state service performing professional tax accounting or auditing duties of a class with a level of responsibility equivalent to that of Tax Auditor-II, Employment Development Department, Range B. (Applicants who have completed six months of service performing tax accounting or auditing duties of a class with a level of responsibility equivalent to that of Tax Auditor-II, Employment Development Department, Range B, will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be considered eligible for appointment.)

Or II

Experience: Three years of increasingly responsible professional tax accounting or auditing experience including at least one year conducting a variety of complex audits or financial examinations. (Experience in California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of Tax Auditor-II, Employment Development Department, Range B.) and

~~Education: The educational requirements described above.~~ Completion of the course work requirements described for Tax Auditor, Employment Development Department, under Pattern I, II, or III.

#### STAFF TAX AUDITOR-IV, EMPLOYMENT DEVELOPMENT DEPARTMENT

Either I

One year of experience in the California state service performing professional tax accounting or auditing duties of a class with a level or responsibility equivalent to that of Associate Tax Auditor-III, Employment Development Department.

Or II

Experience: Four years of increasingly responsible professional tax accounting or auditing experience including at least one year conducting a variety of complex audits or financial examinations. (Experience in California state service applied toward this requirement must include at least one year performing the duties of a class with a level or responsibility equivalent to that of Associate Tax Auditor-III, Employment Development Department.) and

~~Education: The educational requirements described above.~~ Completion of the course work requirements described for Tax Auditor, Employment Development Department, under Pattern I, II, or III.

#### SUPERVISING TAX AUDITOR I, EMPLOYMENT DEVELOPMENT DEPARTMENT

Either I

One year of experience in the California state service performing professional tax accounting or auditing duties

of a class with a level of responsibility equivalent to that of Associate Tax Auditor-III, Employment Development Department.

Experience: Four years of increasingly responsible professional tax accounting or auditing experience including at least one year supervising a variety of complex audits or financial examinations. (Experience in California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of Associate Tax Auditor-III, Employment Development Department.) and

Education: ~~The educational requirements described above.~~ Completion of the course work requirements described for Tax Auditor, Employment Development Department, under Pattern I, II, or III.

Proposed Alternate Range Criteria:

Upon entering the class of Tax Auditor, Employment Development Department or after entering and upon completion of the requirements, employees shall be eligible for appointment to the appropriate range in terms of the following criteria:

Experience gained outside California state service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of Tax Auditor, Employment Development Department.

Range A. This range shall apply to individuals who do not meet the criteria for payment at Range B.

Range B. This range shall apply to individuals who have satisfactorily completed either:

1. One year of experience in the California state service performing professional accounting or auditing duties at a level equivalent to Tax Auditor, Employment Development Department, Range A and completion of the educational requirements described below. Or
2. Two years of experience outside of California state service performing increasingly responsible professional tax accounting, or tax consulting and planning, or auditing experience equivalent to Tax Auditor, Employment Development Department, Range A and completion of the educational requirements described below.

Education:

1. Equivalent to graduation from college with a specialization in accounting. Or
2. Completion of a prescribed professional accounting curriculum given by a residence or correspondence school of accountancy, including courses in elementary and advanced accounting, auditing, cost accounting, and business law. Or
3. Completion of the equivalent of 19 semester units, 16 semester units of which shall be professional accounting courses given by a collegiate-grade residence institution including courses in elementary and intermediate or advanced accounting, auditing, and cost accounting, and three semester units of business law.

When the requirements for a particular criterion are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of DPA Rule 599.676.

PROBATIONARY PERIOD

☐ Six Months

**11. If a probationary period other than six months is proposed, what is the rationale?**

The probationary period is 12 months. The probationary period for the Auditor I, Tax Auditor, BOE, and Tax

Auditor, FTB is also 12 months.

#### STATUS CONSIDERATIONS

**12. What is the impact on current incumbents?**

See # 13 below.

**13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.**

Because there will be no impact on the salary of existing employees, employees will move to the new class by transfer. Employees currently in the class of Auditor I will move to Tax Auditor, EDD, Range A. Employees currently in the class of Tax Auditor II, EDD, will move to Tax Auditor, EDD, Range B.

#### CONSULTED WITH

**14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.**

None.

# CALIFORNIA STATE PERSONNEL BOARD

## SPECIFICATION

TAX AUDITOR, EMPLOYMENT DEVELOPMENT DEPARTMENT  
 Series Specification  
 (Established November 16, 1967)

### SCOPE

This series specification describes classes used in the Employment Development Department to perform professional auditing work in accordance with departmental audit standards, and to assure compliance with the tax program provisions of California's Unemployment, Disability Insurance, and Personal Income Tax Withholding laws. The Tax Auditor may as assigned: ~~conducts~~ conduct uniform audits and investigations of employer records; ~~performs~~ perform special and complex assignments related to the field audit or investigation; ~~is responsible for determining~~ determine and ~~obtaining~~ obtain compliance with tax laws; ~~or serves in a staff capacity to develop and interpret~~ interpret and apply provisions of the California Unemployment Insurance Code, California Code of Regulations - Title 22, California Labor Code, and California Unemployment Insurance Appeals Board decisions for assigned benefit and wage investigations; or apply provisions of the Internal Revenue Code and other California Codes, e.g., Revenue and Taxation Code, Business and Professions Code, etc., as they relate to the programs administered by the Employment Development Department.

Positions in the classes of Tax Auditor ~~II~~, Associate Tax Auditor III, and Staff Tax Auditor IV are not designated as management or supervisory, although incumbents may occasionally act as "leadpersons" performing such functions as training new staff or reviewing the assignments of lower level staff. Such "leadpersons" have duties substantially similar to those of their subordinates and they do not have the authority in the interest of management to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, or responsibly direct other employees, or to adjust their grievances, or effectively recommend such actions.

The Supervising Tax Auditor I is a supervisory class which supervises a staff of Tax Auditors with authority in the interest of management to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, and responsibly direct other employees, and to adjust their grievances, or effectively recommend such actions.

### ENTRY LEVEL

Entry into this series is typically through the Tax Auditor I, Employment Development Department, class.

| <u>Schem</u><br><u>Code</u> | <u>Class</u><br><u>Code</u> | <u>Class</u>  |
|-----------------------------|-----------------------------|---|
| JJ50                        | 4340                        | <del>Tax Auditor II, Employment Development Department</del>        |
| JJ49                        | 4336                        | <u>Tax Auditor, Employment Development Department</u>               |
| JJ40                        | 4339                        | <u>Associate Tax Auditor III, Employment Development Department</u> |
| JJ35                        | 4341                        | <u>Staff Tax Auditor IV, Employment Development Department</u>      |
| JJ30                        | 4338                        | <u>Supervising Tax Auditor I, Employment Development Department</u> |

#### DEFINITION OF LEVELS

##### TAX AUDITOR II, EMPLOYMENT DEVELOPMENT DEPARTMENT

This is the entry, training, and first journey level in this series. Under supervision, incumbents ~~independently~~ conduct professional program audit work of ~~average difficulty~~ or may serve as a member of an audit team on more difficult audits. Incumbents learn all phases of tax audit work, and either: (1) conduct the least-to-moderately difficult field audits of accounts and records of individuals, business organizations, State agencies, or other governmental jurisdictions subject to State taxation or regulations; (2) in the office, audit the least-to-moderately difficult tax returns and financial statements for completeness, accuracy, and proper application of the law; correspond with taxpayers to request additional information and answer taxpayers' questions; prepare working schedules to show changes in tax liability; make recommendations for proposed additional assessments; or (3) apply provisions of the California Unemployment Insurance Code, the Revenue and Taxation Code, applicable regulations, legal opinions, court and California Unemployment Insurance Appeals Board decisions, and departmental policies and procedures.

##### ASSOCIATE TAX AUDITOR III, EMPLOYMENT DEVELOPMENT DEPARTMENT

This is the second and full journey level in the Tax Auditor series. Incumbents independently perform staff work on difficult and complex matters; conduct difficult and controversial field investigations of a highly technical and complex nature; serve as the Department's sole audit and compliance representative in an out-stationed office, or in a headquarters setting; develops guidelines, training courses, and formulates policy and procedures to assist management in the administration of the Employment Tax Program. Incumbents can serve as leadpersons in an office or over an audit team, but are not responsible for the direct supervision of other audit or compliance staff.

STAFF TAX AUDITOR ~~IV~~, EMPLOYMENT DEVELOPMENT DEPARTMENT

This class describes a subject-matter specialist working in a specified tax program within the Department.

Incumbents either conduct audits and investigations of the most difficult and complex accounts typically involving the largest employers with multiple status issues and computerized accounting system; or in an area office, review the majority of audits for policy and legal applications with full authority to return audits to the office, and officially represent the Department at tax or benefit hearings; or in a headquarters setting, review petitions and prepare departmental responses to petitions relating to assessments and denied claims.

SUPERVISING TAX AUDITOR I, EMPLOYMENT DEVELOPMENT DEPARTMENT

This is the first supervisory level found in the professional tax audit program. Incumbents in this class supervise a major component of the audit staff in a large district office or in a headquarters setting; supervise an audit unit responsible for highly specialized and complex audits. Incumbents in these positions typically report to a Tax Administrator responsible for a district office or a headquarters section.

MINIMUM QUALIFICATIONS~~ALL LEVELS:~~

~~Education Requirements: The following educational background is required of all competitors for the class Tax Auditor II and for competitors who are competing for other classes under the non-State service experience patterns:~~

- ~~1. Equivalent to graduation from college, with a specialization in accounting; or~~
- ~~2. Completion of either:~~
  - ~~a. A prescribed professional accounting curriculum given by a residence or correspondence school of accountancy, including courses in elementary and advanced accounting, auditing, cost accounting, and business law; or~~
  - ~~b. The equivalent of sixteen semester hours of professional accounting courses given by a collegiate-grade residence institution, including courses in elementary and advanced~~

~~accounting, auditing, and cost accounting; and three semester hours of business law.~~

TAX AUDITOR ~~II~~, EMPLOYMENT DEVELOPMENT DEPARTMENT

Either I

~~One year of experience in the California state service performing professional accounting or auditing duties of a class with a level of responsibility equivalent to that of Auditor I. (Applicants who meet the educational requirement and who have completed six months of service performing accounting or auditing duties of a class with a level or responsibility equivalent to that of Auditor I will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be considered eligible for appointment.)~~ Equivalent to graduation from college, with a specialization in accounting. (Registration as a senior student in a recognized institution will admit applicants to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.)

Or II

~~Experience: Two years of increasingly responsible professional tax accounting or auditing experience. (Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of Auditor I.)~~ and Completion of a prescribed professional accounting curriculum\* given by a residence or correspondence school of accountancy including courses in elementary and advanced accounting, auditing, cost accounting, and business law.

~~Education: The educational requirements described above.~~

Or III

Completion of the equivalent of 19 semester units of course work, 16 units of which shall be professional accounting courses given by a collegiate-grade residence institution including courses in elementary and advanced accounting, auditing and cost accounting; and three semester units of business law. (Applicants who will complete course work requirements outlined under II and III above during the current quarter or semester will be admitted to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.)

\* "Professional accounting curriculum" means core accounting courses that are the required courses needed to obtain a certificate or an Associate of Arts or Bachelors Degree in Accounting. Unacceptable courses would include mathematics, statistics, data processing, bookkeeping, marketing, and Introduction to Accounting.

ASSOCIATE TAX AUDITOR ~~III~~, EMPLOYMENT DEVELOPMENT DEPARTMENTEither I

One year of experience in the California state service performing professional tax accounting or auditing duties of a class with a level of responsibility equivalent to that of a Tax Auditor ~~II~~, Employment Development Department, Range B. (Applicants who have completed six months of service performing tax accounting or auditing duties of a class with a level of responsibility equivalent to that of a Tax Auditor ~~II~~, Employment Development Department, Range B, will be admitted to the examination, but they must satisfactorily complete one year of this experience before they can be considered eligible for appointment.)

Or II

Experience: Three years of increasingly responsible professional tax accounting or auditing experience including at least one year conducting a variety of complex audits or financial examinations. (Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of a Tax Auditor ~~II~~, Employment Development Department, Range B.) and

Education: ~~The educational requirements described above.~~ Completion of the course work requirements described for Tax Auditor, Employment Development Department, under Pattern I, II, or III.

STAFF TAX AUDITOR ~~IV~~, EMPLOYMENT DEVELOPMENT DEPARTMENTEither I

One year of experience in the California state service performing professional tax accounting or auditing duties of a class with a level of responsibility equivalent to that of an Associate Tax Auditor ~~III~~, Employment Development Department.

Or II

Experience: Four years of increasingly responsible professional tax accounting or auditing experience including at least one year conducting a variety of complex audits or financial examinations. (Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of an Associate Tax Auditor ~~III~~, Employment Development Department.) and

Education: ~~The educational requirements described above.~~ Completion of the course work requirements described for a Tax Auditor, Employment Development Department, under Pattern I, II, or III.

## SUPERVISING TAX AUDITOR I, EMPLOYMENT DEVELOPMENT DEPARTMENT

Either I

One year of experience in the California state service performing professional tax accounting or auditing duties of a class with a level of responsibility equivalent to that of an Associate Tax Auditor III, Employment Development Department.

Or II

Experience: Four years of increasingly responsible professional tax accounting or auditing experience including at least one year supervising a variety of complex audits or financial examinations. (Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class with a level of responsibility equivalent to that of an Associate Tax Auditor III, Employment Development Department.) and

Education: ~~The educational requirements described above.~~ Completion of the course work requirements described for Tax Auditor, Employment Development Department, under Pattern I, II, or III.

KNOWLEDGE AND ABILITIES

## TAX AUDITOR II, EMPLOYMENT DEVELOPMENT DEPARTMENT

Knowledge of: General auditing and accounting principles and procedures; business law; taxing, and related provisions of the California Unemployment Insurance Code and the Revenue and Taxation Code as they relate to the Unemployment and Disability Insurance Programs administered by the Department; related legal opinions, California Unemployment Insurance Appeals Board decisions, and court decisions related to the Unemployment Insurance Code and Personal Income Tax Withholding Programs; auditing practices and procedures as used by the Employment Tax Branch; and departmental policies, rules, and regulations.

Ability to: Apply auditing principles and procedures; apply the provisions of the California Unemployment Insurance Code and the Revenue and Taxation Code and applicable regulations; apply legal opinions, court and California Unemployment Insurance Appeals Board decisions, and departmental policies and procedures; establish and maintain cooperative working relations with those contacted during the course of the work; analyze situations accurately and adopt an effective course of action; reason logically and creatively in unique situations; conduct audits or financial examinations of accounts and records; create good will and maintain it in the initiation and completion of an audit and the disclosure of findings critical in nature or indicating additional tax liability; analyze data and draw sound conclusions; prepare clear, complete, and concise reports; and ~~write and speak~~ communicate effectively.

ASSOCIATE TAX AUDITOR ~~III~~, EMPLOYMENT DEVELOPMENT DEPARTMENT

Knowledge of: All of the above, and specialized and complex auditing practices and procedures as used by the Employment Development Department's Tax Branch and Unemployment Insurance Branch; and organization and operation of the departmental Employment Development Department's Tax Branch and Unemployment Insurance programs.

Ability to: All of the above.

STAFF TAX AUDITOR ~~IV~~, EMPLOYMENT DEVELOPMENT DEPARTMENT

Knowledge of: All of the above, and the most comprehensive knowledge of all laws and rulings affecting the Employment Development Department's Tax Branch and Unemployment Insurance Branch programs.

Ability to: All of the above, and handle the most difficult, complex, and comprehensive tax program issues; independently function with general or limited guidelines; and exercise the highest degree of judgment in applying laws and audit procedures.

SUPERVISING TAX AUDITOR I, EMPLOYMENT DEVELOPMENT DEPARTMENT

Knowledge of: All of the Tax Auditor ~~II~~, Employment Development Department, and ~~III~~ knowledge Associate Tax Auditor, Employment Development Department, knowledge listed above, and principles and practices of ~~personal~~ personnel management and supervision; general principles of automated data processing as related to tax work; departmental ~~affirmative action~~ equal employment opportunity and upward mobility programs.

Ability to: In addition to the Tax Auditor ~~II~~, Employment Development Department, and ~~III~~ Associate Tax Auditor, Employment Development Department, abilities listed above, incumbents at this level must demonstrate the ability to plan, organize, and direct the work of a staff of professional and clerical personnel; and understand and support the Department's ~~affirmative action~~ equal employment opportunity and upward mobility programs.

SPECIAL QUALIFICATIONSALL LEVELS:

All employees must be willing to travel and work away from the office.

CLASS HISTORY

| <u>Class</u>  | <u>Date<br/>Established</u> | <u>Date<br/>Revised</u> | <u>Title<br/>Changed</u> |
|---|-----------------------------|-------------------------|--------------------------|
| Tax Auditor <del>II</del> , Employment<br>Development Department                      | 2/5/55                      | 12/18/80                | 1/23/74                  |
| <u>Associate Tax Auditor <del>III</del></u> ,<br>Employment Development<br>Department | 2/5/55                      | 12/18/80                | 1/23/74                  |
| <u>Staff Tax Auditor <del>IV</del></u> , Employment<br>Development Department         | 5/23/79                     | 12/18/80                | --                       |
| Supervising Tax Auditor I,<br>Employment Development<br>Department                    | 2/5/55                      | 12/18/80                | 1/23/74                  |

ALTERNATE RANGE CRITERIA 446

Established: \_\_\_\_\_

Upon entering the class of Tax Auditor, Employment Development Department, or after entering and upon completion of the requirements, employees shall be eligible for appointment to the appropriate range in terms of the following criteria:

Experience gained outside the California state service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of a Tax Auditor, Employment Development Department.

Range A. This range shall apply to individuals who do not meet the criteria for payment at Range B.

Range B. This range shall apply to individuals who have satisfactorily completed either:

1. One year of experience in the California state service performing professional accounting or auditing duties at a level equivalent to a Tax Auditor, Employment Development Department, Range A, and completion of the educational requirements described below. or
2. Two years of experience outside of the California state service performing increasingly responsible professional tax accounting, or tax consulting and planning, or auditing experience equivalent to a Tax Auditor, Employment Development Department, Range A, and completion of the educational requirements described below.

Education:

1. Equivalent to graduation from college with a specialization in accounting. or
2. Completion of a prescribed professional accounting curriculum given by a residence or correspondence school of accountancy, including courses in elementary and advanced accounting, auditing, cost accounting, and business law. or
3. Completion of the equivalent of 19 semester units, 16 semester units of which shall be professional accounting courses given by a collegiate-grade residence institution including courses in elementary and advanced accounting, auditing, and cost accounting, and three semester hours of business law.

When the requirements for a particular criterion are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of DPA Rule 599.676.

January 9, 2007

TO: STATE PERSONNEL BOARD

FROM: Kathy Darling  
Staff Personnel Program Analyst  
Department of Personnel Administration

REVIEWED BY: Debra Thompsen  
Personnel Program Manager  
Department of Personnel Administration

SUBJECT: Proposed new Classification of Integrated Waste Program Manager as part of the Integrated Waste Management Specialist Series.

SUMMARY OF ISSUES:

The California Integrated Waste Management Board (CIWMB) requests to add the new classification, Integrated Waste Program Manager, to the Integrated Waste Management Specialist series to recognize managerial responsibilities within the series.

CONSULTED WITH:

Laurie Karlstad, Staff Services Manager, California Integrated Waste Management Board

DPA has provided a courtesy copy of this proposal to the California Association of Professional Scientists.

CLASSIFICATION CONSIDERATIONS:

The Integrated Waste Management Specialist series is a department specific class series for CIWMB. There is a need for a managerial level to perform a broad range of staff and management oversight work that includes providing direction for programs and activities to protect public health and safety and the environment through waste prevention, market development, waste diversion, and safe processing and disposal of municipal solid waste and waste tires.

The Integrated Waste Management Specialist series is specific to the unique nature of the Board's mission, including procurement of recycled products, developing markets for materials and implementing reuse programs for special waste products such as used oil and scrap tires. A Manager's knowledge of these program areas is critical to the Board's operations.

**RECOMMENDATIONS:**

That the class of Integrated Waste Program Manager be established; the proposed specification for the class appearing in the Integrated Waste Management Specialist series specification shown in the current calendar be adopted; and the probationary period for the class be twelve (12) months.

## CLASSIFICATION CONSIDERATIONS

### BACKGROUND:

1. Provide some historical perspective about the organizational setting of the subject classes and the needs that this request addresses.

### Current

The California Integrated Waste Management Board is the State agency designated to oversee, manage, and track California's 76 million tons of waste generated each year.

The Integrated Waste Management Board is composed of six Board members. Four members are appointed by the Governor, two of whom represent the public. One member represents industry, and one represents the environmental community. One member is appointed by the Senate Committee on Rules and one is appointed by the Speaker of the Assembly. The Board is one of six agencies under the umbrella of the California Environmental Protection Agency (Cal/EPA).

The Board plays a central role promoting achievement of the waste diversion mandates that must be met by the state's local jurisdictions. It also fosters markets for recovered recyclables a key component of its overall mission. And it enforces the legal provisions designed to protect the environment and the public's health and safety.

The Board provides grants and loans to help California cities, counties, businesses, and organizations meet the State's waste reduction, reuse, and recycling goals. It also provides funds to clean up solid waste disposal sites and co-disposal sites (those accepting both hazardous waste substances and nonhazardous waste). These funds are available where the responsible party cannot be identified or are unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the environment.

The Board also develops and promotes alternatives to the illegal disposal of used oil; develops technical standards and permit requirements for waste tire facilities; promotes reuse and recycling of electronic devices, and encourages purchasing of environmentally preferable devices.

## History

California's first significant regulation of solid waste disposal began with enactment of the Solid Waste Management and Resource Recovery Act of 1972 (Chapter 342, Statutes of 1972). This statute created the Solid Waste Management Board, giving it broad authority related to solid waste handling, disposal and reclamation. Principle responsibilities of the new agency were the creation of state solid waste management and resource recovery policy, development of minimum standards for solid waste handling and disposal, and approval of county solid waste management plans. Each of the state's 58 counties was given the responsibility of developing and submitting to the Board by January 1, 1976 a long-term solid waste management and resource recovery plan, subject to the approval of its incorporated cities.

In 1976, the Legislature created a permitting and enforcement program for solid waste facilities built around the concept of local enforcement agencies (Chapter 1309, Statutes of 1976). This fundamental element of the state's solid waste permitting and enforcement program remains intact today.

Early development of California's curbside recycling infrastructure was encouraged under a Waste Board grant program established by the Litter Control, Recycling and Resource Conservation Act (Chapter 1161, Statutes of 1977). Through grants to local government, nonprofits and private companies, the Board facilitated development of new curbside recycling technology and California became a national leader as these techniques became the standard for communities across the country. Local investigations of resource recovery (waste-to-energy) facilities were also supported through this program. In the early 1980s as many as 42 energy recovery plants were in the planning stages, although nearly all succumbed to environmental pressures. Only three were eventually built in Long Beach, Commerce and Stanislaus County.

Long-term maintenance of waste disposal sites became a concern in the mid-1980s and in 1987 the Legislature enacted the Solid Waste Disposal and Site Hazard Reduction Act (Chapter 1319, Statutes of 1987). This law set new landfill requirements for financial assurances during operations and for planning and funding post-closure maintenance activities.

The California Integrated Waste Management Board was created and its authority and responsibilities were shaped by two pieces of legislation (AB 939 and SB 1322) signed into law as the Integrated Waste Management Act of 1989.

The Act established a new approach to managing California's waste stream, the centerpiece of which mandated goals of 25 percent diversion of each city's and county's waste from disposal by 1995, and 50 percent diversion in 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

Currently, the Board utilizes a mix of professional and administrative state civil service classifications, including the Integrated Waste Management Specialist series, the Waste Management Engineer series, Engineering Geologists, Industrial Hygienists, Staff Services and Research Managers, Analysts, and Office Technicians. These employees form the basis for the civil service workforce that will continue to address the Board's statutory and regulatory mandates through policy development, program implementation, regulatory oversight, and technical assistance to stakeholders.

This proposal is to establish an additional level (Integrated Waste Program Manager) within the Board's current state civil service classification of Integrated Waste Management Specialist (IWMS), which will allow for a first level civil service managerial designation. The current structure in this series provides for two technical and two supervisory levels that perform duties related to integrated waste management at the California Integrated Waste Management Board.

#### CLASSIFICATION CONSIDERATIONS:

2. What classifications do the subject classes report to?

Incumbents in the Integrated Waste Program Manager classification will report to the Program Directors (CEA 3's) for the Board's two major program areas. The Program Directors report to the Executive Director and the Chief Deputy Director.

3. Will the subject classes supervise? If so, what classes?

Incumbents in the Integrated Waste Program Manager class may have supervisory authority over lower level incumbents within the IWMS series, other state civil service employees, or outside contract employees.

4. What are the specific duties of the subject classes?

Incumbents will perform a broad range of staff and management oversight work that includes providing direction for programs and activities to protect public health and safety and the environment through waste prevention, market development, waste diversion, and safe processing and disposal of municipal solid waste and waste tires. The incumbent advises upper management on the development and implementation of Board policies regarding issues, programs and priorities affecting Board line programs and divisions.

At the Integrated Waste Program Manager level, incumbents are responsible for a division, which reflects a portion of the Board's two major program elements, the Waste Compliance and Mitigation Program, and the Sustainability Program. Incumbents recommend and implement statewide policies and programs that oversee and assist local governments and state agencies in achieving statutorily mandated waste diversion goals; increase public participation in all aspects of

management activities. Mismanagement of these funds could negatively impact local government efforts to manage wastes safely and clean up illegally disposed waste. Inability to bring consensus among affected parties, and balance business and industry concerns with environmental and other community interest group concerns could result in a lack of action to protect public health and safety and the environment, as well as over- or under-regulation that could have a negative impact on business and the economy of the state.

In addition, the grants and contracts management functions are critical to proper management of the substantial funding the Board provides for a variety of local programs intended to foster recycling and other sustainability efforts.

Mismanagement of these funds could negatively impact local government efforts to divert solid waste from disposal. The local technical assistance function is also critical to proper management of waste at the local level, which can impact jurisdictions and the state economically, and in terms of public health and safety and the environment.

7. What are the analytical requirements expected of incumbents in the subject classes?

Incumbents at the Integrated Waste Program Manager level must possess high levels of technical and scientific understanding regarding the large number of disciplines associated with program projects. Although individuals require specialization within their work assignment, a well developed understanding of all aspects of waste management and waste prevention are required, e.g., the development of regulations; analyzing and proposing legislation; reviewing and recommending action on integrated waste management plans; developing integrated waste management strategies; assisting jurisdictions in their efforts to integrate waste prevention, diversion, and disposal activities; facilitating the procurement of recycled content products; developing markets for recycled materials; implementing programs for used oil, household hazardous waste, and waste tires; certifying and evaluating local enforcement agencies; developing and revising state minimum standards for integrated solid waste handling and disposal; inspecting solid waste sites, reviewing solid waste facilities' environmental practices; recommending action on solid waste facilities' permits; taking corrective action including closure and post closure of solid waste landfills; and remediating closed, illegal, and abandoned sites.

Incumbents must also know and understand the Board's required public participation process, legislative and budgetary processes, the working of local governments and Local Enforcement Agencies; the Code of Federal Regulations governing solid waste management; the workings of the waste management industry; the workings of other state agencies relative to implementation of a variety of program requirements; and other legal and business concepts involved in the wide variety of programs and projects for which the Board is responsible.

8. What are the purpose, type and level of contacts incumbents in the subject classes make?

Incumbents in the proposed class must deal with a variety of state, federal and local government entities, as well as private and public interest groups in the course of their work. These include representatives of the California Environmental Protection Agency, members of boards of supervisors, mayors, city councils, local government enforcement agencies; Caltrans, city and county engineers and representatives of business and industry concerned with solid waste management issues; federal agencies such as the U.S. EPA, and the U.S. Army Corps of Engineers; and special interest groups such as the Sierra Club, the Solid Waste Association of North America and Californians Against Waste.

The purpose of these contacts is to develop and foster close, cooperative working relationships in developing statutory language, regulatory proposals and program implementation; to ensure that the impacts of Board programs are known and addressed; and to ensure that stakeholders have a voice and understand how best to participate. The incumbent seeks input and consensus, ensuring progress toward achieving the Board's mission and goals occurs through the most efficient and effective program implementation.

#### NEED FOR NEW CLASS

9. What existing classes were considered and why were they not appropriate?

The classification of CEA level 1 was considered; however, this concept does not meet the Department of Personnel Administration's standard criteria given the size of the Board and the reporting relationships of the proposed positions.

The classification of Environmental Program Manager II, within the Environmental Scientist series, was also considered. The minimum qualifications of the Environmental Scientist series require a bachelor's degree in specific scientific disciplines for all levels. The Integrated Waste Management Specialist has two distinct education requirements for the entry level class; either a bachelor's degree in several scientific disciplines or a bachelor's degree in a broader range of non-scientific majors and 30 semester units of science. Use of the Environmental Program Manager II classification would restrict many current CIWMB employees from participating in a promotional examination and the resulting candidate pool would significantly limit management's choices. In addition, the Integrated Waste Management series is specific to unique nature of the Board's mission and includes procurement of recycled products, developing markets for materials and implementing reuse programs for special waste products such as used oil and scrap tires. Use of the Environmental Program Manager II will limit the Board's ability to test as these critical areas are not included in the scope of the Environmental Scientist series.

## MINIMUM QUALIFICATIONS

10. What are the proposed or current minimum qualifications of the subject classes, and why are they appropriate?

The minimum qualifications for the proposed class include:

Either I: Two years of experience in the California state service in the class or position comparable in level, duties, and responsibilities to, a Supervising Integrated Waste Management Specialist II;

Or II: Four years of experience in the California state service in the class or position comparable in level, duties, and responsibilities to, a Supervising Integrated Waste Management Specialist I or Senior Integrated Waste Management Specialist;

Or III: Experience: Seven years of broad and extensive experience in increasingly responsible professional positions in integrated waste management planning, regulation, marketing, analysis, or research; environmental research, monitoring, surveillance, or enforcement; or design, development, or oversight of a waste prevention and diversion program. At least four years of the required experience must have been in a supervisory or management capacity and must have included responsibility for substantial participation in the development or implementation of environmental health or integrated waste management policies and programs; or directing the work of a multidisciplinary environmental or integrated waste management, permitting or investigative staff. And: Education: The same as is required for the Integrated Waste Management Specialist

(Possession of a Master's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; Industrial Hygiene; Engineering; Math; Economics; Statistics; or Resource Management may be substituted for one year of the non-supervisory experience.

Possession of a doctorate in the areas specified above may be substituted for two years of the non-supervisory experience. Candidates who are in their final semester or quarter of either degree program may be admitted to the examination if otherwise qualified, but they must provide evidence of the degree before they can be appointed.)

The Minimum Qualifications are appropriate for the proposed class in that they are job related, are consistent with the existing IWMS series, and require an adequate period of related experience for non-state applicants; allow for an appropriate array of educational backgrounds; and provide for a reasonable candidate pool from which to fill vacant positions.

PROBATIONARY PERIOD:

11. If a probationary period other than six months is proposed, what is the rationale?

It is recommended that the proposed class require a 12-month probationary period in order to have sufficient time to adequately assess the performance of individuals in the class, as the responsibilities are complex, and work products, budget cycles, and project timetables extend far beyond six months.

STATUS CONSIDERATIONS:

12. What is the impact on current incumbents?

There are no current incumbents at this level, as this is a new class that is the next promotional level in the current IWMS series.

13. Will current employees move by examination, transfer, reallocation, split-off, etc? Explain rationale.

Employees will move to the new class through promotional examination.

# CALIFORNIA STATE PERSONNEL BOARD

## SPECIFICATION

INTEGRATED WASTE MANAGEMENT SPECIALIST  
Series Specification  
(Established October 29, 1975)

### SCOPE

This series specification describes the two technical, and two supervisory, and one managerial levels of the Integrated Waste Management Specialist series which performs duties related to integrated waste management at the California Integrated Waste Management Board.

| <u>Schem</u><br><u>Code</u> | <u>Class</u><br><u>Code</u> | <u>Class</u>   |
|-----------------------------|-----------------------------|--|
| BH89                        | 0757                        | Integrated Waste Management Specialist                   |
| BH60                        | 1989                        | Senior Integrated Waste Management Specialist            |
| BH87                        | 0759                        | Supervising Integrated Waste Management<br>Specialist I  |
| BH86                        | 0752                        | Supervising Integrated Waste Management<br>Specialist II |
| <u>BH85</u>                 | <u>0753</u>                 | <u>Integrated Waste Program Manager</u>                  |

### DEFINITION OF SERIES

The Integrated Waste Management Specialist class series describes work concerned with protecting the public health and safety and the environment through waste prevention, waste diversion, and safe waste processing and disposal. Incumbents at all levels of the series apply scientific methods and principles in the performance, supervision, or management of assigned tasks including: writing integrated waste management-related regulations and analyzing related legislation; reviewing and recommending action on integrated waste management plans; developing integrated waste management strategies; assisting various jurisdictions in their efforts to integrate waste prevention, diversion, and disposal activities; facilitating the procurement of recycled content products; developing markets for recycled materials; implementing programs for used oil, household hazardous waste, and used and scrap tires; certifying and evaluating local enforcement agencies; developing and revising State minimum standards for integrated solid waste handling and disposal; inspecting solid waste sites; reviewing solid waste facilities' environmental practices; recommending action on solid waste facilities' permits; taking corrective actions including closure and postclosure of solid waste facilities; and remediating closed, illegal, and abandoned sites.

### ENTRY TO THE SERIES

Entry into this series is typically at one of the ranges of the Integrated Waste Management Specialist class depending on the education and experience qualifications of the individual.

FACTORS AFFECTING POSITION ALLOCATION

Level, variety, and complexity of work; nature of public and interagency contact; independence of action; consequence of error; degree of originality and initiative required; degree of knowledge and specialized abilities required; extent of impact on statewide programs; degree of supervision exercised or received; level of participation in policy development; and degree of management responsibility.

DEFINITION OF LEVELS

## INTEGRATED WASTE MANAGEMENT SPECIALIST

This is the entry, working, and journey levels in the series. Incumbents advance to Ranges B and C based on alternate range criteria eligibility and as competence and level of performance increase.

Range A is the entry level in the series. Under close supervision, incumbents perform the less responsible, professional work associated with integrated waste management.

Range B is the working level in the series. Under supervision, incumbents perform integrated waste management work of average difficulty and may serve as project coordinators on projects of the least to average complexity.

Range C is the full journey level in the series. Under direction, incumbents perform difficult and complex integrated waste management work; may coordinate major integrated waste management program activities; and may serve in a lead capacity over other integrated waste management staff.

## SENIOR INTEGRATED WASTE MANAGEMENT SPECIALIST

This is the staff specialist level. Under general direction, incumbents perform sensitive and difficult integrated waste management work demonstrably above the full journey level; may serve as project coordinators on the most difficult or complex projects; mentor staff; serve as technical program experts; and may participate in policy-making recommendations and strategic planning.

## SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST I

This is the first full supervisory level in the series. Incumbents typically plan, organize, and direct integrated waste management work within assigned programs; supervise professional and administrative staff; and select, develop, and evaluate the performance of staff.

## SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST II

This is the second full supervisory level in the series. Incumbents typically manage multiple integrated waste management programs; supervise subordinate supervisors performing integrated waste management work; and select, develop, and evaluate the performance of staff.

INTEGRATED WASTE PROGRAM MANAGER (MANAGERIAL)

This is the first managerial level in the series which has significant responsibility for formulating and administering policies or programs. Incumbents direct and have charge of environmental programs or components which are of major sensitivity and complexity; carry authority and accountability for timely completion of program objectives and for submittal of satisfactory products; are responsible for operational planning and assigning of projects, budgeting for time and funds, reviewing and evaluating achievements, and preparing administrative reports; coordinating program activities with technical and administrative support sections and their activities; formulating and administering policies; maintaining liaison with other governmental agencies and the private sector; and doing other related work. Incumbents have authority in the interest of management to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline employees. Incumbents have the responsibility to direct employees, adjust employee grievances, or effectively recommend such actions.

MINIMUM QUALIFICATIONS

## INTEGRATED WASTE MANAGEMENT SPECIALIST

Education: Equivalent to graduation from an accredited college or university with a Bachelor's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; or Industrial Hygiene. or

Equivalent to graduation from an accredited college or university with a Bachelor's Degree in Engineering; Math; Economics; Statistics; or Resource Management. Qualifying education must include completion of 30 semester units in biological, chemical, physical, environmental, or soil science; environmental health; toxicology; or industrial hygiene.

(Registration as a senior in a recognized institution will admit applicant to the examination, but they must provide evidence of graduation or its equivalent before they can be considered eligible for appointment.)

(Qualifying experience in integrated waste management planning, regulation, marketing, analysis, or research; environmental research,

## Integrated Waste Management Specialist Series

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monitoring, surveillance, or enforcement; or design, development, or oversight of a waste prevention and diversion program may be substituted for the required education on the basis of one year of qualifying experience for each year of college work for up to a maximum of two years.)

SENIOR INTEGRATED WASTE MANAGEMENT SPECIALIST  
SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST I

Either I

Two years of experience in the California state service in the class of, or in a position comparable in level, duties, and responsibilities to, an Integrated Waste Management Specialist, Range C.

(Applicants who have completed 12 months of service performing the duties as specified above will be admitted to the examination, but they must satisfactorily complete two years of this experience before they can be eligible for appointment.)

Or II

Experience: Five years of increasingly responsible professional experience in integrated waste management, planning, regulation, marketing, analysis, or research; environmental research, monitoring, surveillance, or enforcement; or design, development, or oversight of a waste prevention and diversion program. Two years of this experience must have been performing difficult and complex integrated waste management work at the full journey level. and

Education: The same as is required for Integrated Waste Management Specialist.

(Possession of a Master's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; Industrial Hygiene; Engineering; Math; Economics; Statistics; or Resource Management may be substituted for one year of the required experience. Possession of a doctorate in the areas specified above may be substituted for two years of the required experience. Candidates who are in their final semester or quarter of either degree program may be admitted to the examination if otherwise qualified, but they must provide evidence of the degree before they can be appointed.)

SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST II

Either I

Two years of experience in the California state service in the class of, or in a position comparable in level, duties, and responsibilities to, a Senior Integrated Waste Management Specialist or Supervising Integrated Waste Management Specialist I.

Or II

Experience: Five years of broad and extensive experience in increasingly responsible professional positions in integrated waste

management planning, regulation, marketing, analysis, or research; environmental research, monitoring, surveillance, or enforcement; or design, development, or oversight of a waste prevention and diversion program. At least two years of the required experience must have been in a supervisory or management capacity and must have included responsibility for substantial participation in the development or implementation of environmental health or integrated waste management policies and programs; or directing the work of a multidisciplined environmental or integrated waste management, permitting, or investigative staff. and

Education: The same as is required for Integrated Waste Management Specialist.

(Possession of a Master's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; Industrial Hygiene; Engineering; Math; Economics; Statistics; or Resource Management may be substituted for one year of the nonsupervisory experience. Possession of a doctorate in the areas specified above may be substituted for two years of the nonsupervisory experience. Candidates who are in their final semester or quarter of either degree program may be admitted to the examination if otherwise qualified, but they must provide evidence of the degree before they can be appointed.)

#### INTEGRATED WASTE PROGRAM MANAGER

##### Either I

Two years of experience in the California state service in the class or position comparable in level, duties, and responsibilities to a Supervising Integrated Waste Management Specialist II.

##### Or II

Four years of experience in the California state service in the class or position comparable in level, duties, and responsibilities to a Senior Integrated Waste Management Specialist or Supervising Integrated Waste Management Specialist I.

##### Or III

Experience: Seven years of broad and extensive experience in increasingly responsible professional positions in integrated waste management planning, regulation, marketing, analysis, or research; environmental research, monitoring, surveillance, or enforcement; or design, development, or oversight of a waste prevention and diversion program. At least four years of the required experience must have been in a supervisory or management capacity and must have included responsibility for substantial participation in the development or implementation of environmental health or integrated

waste management policies and programs; or directing the work of a multidisciplinary environmental or integrated waste management, permitting, or investigative staff. and

Education: The same as is required for Integrated Waste Management Specialist.

(Possession of a Master's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; Industrial Hygiene; Engineering; Math; Economics; Statistics; or Resource Management may be substituted for one year of the nonsupervisory experience. Possession of a doctorate in the areas specified above may be substituted for two years of the nonsupervisory experience. Candidates who are in their final semester or quarter of either degree program may be admitted to the examination if otherwise qualified, but they must provide evidence of the degree before they can be appointed.)

#### KNOWLEDGE AND ABILITIES

##### INTEGRATED WASTE MANAGEMENT SPECIALIST

Knowledge of: Basic principles of scientific research; chemical, biological, physical, and environmental sciences; environmental characteristics of waste materials, including handling and disposal, their general effect on human health and the environment, and mitigation measures; statistical methods of analysis; concepts employed in a variety of disciplines including integrated waste management economics, public health, and resource management; controlling hazardous substances at solid waste facilities; principles and procedures of integrated waste management, waste prevention, and diversion; basic hydrology and geology; environmental planning; investigatory methods; integrated waste management activities and programs in both the public and private sectors; Federal, State, and local statutes, regulations, legislative and regulatory processes, programs, and responsibilities related to solid waste materials; facility permitting and environmental review; and use and reuse of solid waste materials.

Ability to: Collect environmental data; analyze and evaluate data, reach sound conclusions, and make recommendations; apply or modify scientific methods and principles; analyze situations and take appropriate actions; establish and maintain cooperative relations with local governments, the business community, and the general public; prepare clear, complete, and technically accurate reports; communicate effectively; plan, organize, and carry out integrated waste management studies or projects; coordinate the work of others; make oral presentations; be objective and flexible; meet critical deadlines; assess the impact of proposed legislation and new statutes; organize materials for public presentations and dissemination; and anticipate and respond to public concerns with tact and sensitivity.

SENIOR INTEGRATED WASTE MANAGEMENT SPECIALIST  
 SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST I (SUPERVISORY)  
 SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST II (SUPERVISORY)  
 INTEGRATED WASTE PROGRAM MANAGER (MANAGERIAL)

Knowledge of: In addition to all of the above, principles of program management and personnel administration; principles and techniques of effective management and supervision, staff development, and performance evaluation; methods and techniques of effective leadership; methods of planning, organizing, directing, and managing major programs; and California's legislative, budget, and general administrative processes.

Ability to: In addition to all of the above, implement administrative and program policies and evaluate program changes and accomplishments; establish and maintain effective multidisciplinary relationships in the solution of problems and the achievement of departmental goals and interpret, apply, and develop policy proposals and procedures; plan, organize, and direct the work of others; provide leadership in accomplishing basic functions and objectives; participate in assigned programs effectively with groups and agencies to gain cooperation in solid waste management issues; and evaluate and project environmental data and direct the preparation of comprehensive studies, projects, and resultant reports.

~~SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST I~~

~~Knowledge of:~~ ~~All of the above, and principles of program management and personnel administration; principles of effective supervision, staff development, and performance evaluation; methods and techniques of effective leadership; California's legislative, budget, and general administrative processes.~~

~~Ability to:~~ ~~All of the above.~~

~~SUPERVISING INTEGRATED WASTE MANAGEMENT SPECIALIST II~~

~~Knowledge of:~~ ~~All of the above, and methods of planning, organizing, directing, and managing major programs.~~

~~Ability to:~~ ~~All of the above, and implement administrative and program policies and evaluate program changes and accomplishments; establish and maintain effective multidisciplinary relationships in the solution of problems and the achievement of departmental goals.~~

ALTERNATE RANGE CRITERIA 379

## INTEGRATED WASTE MANAGEMENT SPECIALIST

These criteria will be used to allocate incumbents to Alternate Range A, B, or C. For pattern (2) of Ranges B and C, possession of a Master's Degree in Biological, Chemical, Physical, Environmental, or Soil Science; Environmental Health; Toxicology; Industrial Hygiene; Engineering; Math; Economics; Statistics; or Resource Management may be substituted for two years of the required experience.

When the requirements for the criteria for a range are met, and upon certification by the appointing power that the employee has demonstrated an aptitude to perform at the level expected of an individual in that range, the employee shall move to the appropriate rate in Range B or C, under provisions of Department of Personnel Administration Rule 599.676.

Range A. This range shall apply to incumbents who do not meet the criteria for payment in Range B.

Range B. This range shall apply to persons who have satisfactorily completed: (1) one year in the California state service in the class of, or in a position comparable in level, duties, and responsibilities to, an Integrated Waste Management Specialist, Range A; or (2) two years of professional experience performing integrated waste management work. Professional experience is defined as experience comparable in level, duties, and responsibilities to an Integrated Waste Management Specialist, Range A, gained after meeting the "Minimum Qualifications" for entry into the Integrated Waste Management Specialist class.

Range C. This range shall apply to persons who have satisfactorily completed: (1) two years in the California state service in the class of, or in a position comparable in level, duties, and responsibilities to, an Integrated Waste Management Specialist, Range B; or (2) three years of professional experience performing integrated waste management work. Professional experience is defined as experience comparable in level, duties, and responsibilities to an Integrated Waste Management Specialist, Range B, gained after meeting the "Minimum Qualifications" for entry into the Integrated Waste Management Specialist class.

## Integrated Waste Management Specialist Series

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CLASS HISTORY

| <u>Class</u>   | <u>Date<br/>Established</u> | <u>Date<br/>Revised</u> | <u>Title<br/>Changed</u> |
|--|-----------------------------|-------------------------|--------------------------|
| Integrated Waste Management<br>Specialist                | 10/29/75                    | 9/2/98                  | 10/17/95                 |
| Senior Integrated Waste<br>Management Specialist         | 10/17/95                    | 9/2/98                  | --                       |
| Supervising Integrated Waste<br>Management Specialist I  | 10/29/75                    | 9/2/98                  | 10/17/95                 |
| Supervising Integrated Waste<br>Management Specialist II | 12/18/80                    | 9/2/98                  | 10/17/95                 |
| <u>Integrated Waste Program<br/>Manager</u>              |                             | <u>--</u>               | <u>--</u>                |

TO: STATE PERSONNEL BOARD

FROM: MARGIE IMAI, Personnel Program Manager  
Department of Personnel Administration

REVIEWED BY: JOSIE FERNANDEZ, Personnel Program Manager  
Department of Personnel Administration

DARYLL TSUJIHARA, Chief, Classification and Compensation Division  
Department of Personnel Administration

SUBJECT: Proposed specification revisions to the Senior Mechanical Engineer, Caltrans (Specialist) and Senior Mechanical Engineer, Caltrans (Supervisor) classes.

#### SUMMARY OF ISSUES:

The Department of Transportation (Caltrans) proposes to revise the minimum qualifications for the classes of Senior Mechanical Engineer, Caltrans (Specialist) and Senior Mechanical Engineer, Caltrans (Supervisor) to include the class of Mechanical Engineer, Range D. This revision will allow departmental employees in the class of Mechanical Engineer to compete in the examination for the Senior Mechanical Engineer, Caltrans (Specialist) and (Supervisor) classes.

Other minor revisions are proposed to the Senior Mechanical Engineer, Caltrans (Specialist) and (Supervisor) classes to update the language.

#### CONSULTED WITH:

Bob Means, Department of Transportation  
Judy O'Day, Department of Transportation  
Jennifer Roche, State Personnel Board  
Karen Coffee, State Personnel Board  
Ginny Chang, Department of Personnel Administration  
Franklin Marr, Department of Personnel Administration

In accordance with the terms of the DPA/Unit 9 contract, Unit 09 has been notified in writing of this proposal.

#### CLASSIFICATION CONSIDERATIONS:

(See attached proposal)

#### RECOMMENDATIONS:

7/97

That the proposed revised specifications for the following classes as shown in this calendar be adopted:

Senior Mechanical Engineer, Caltrans (Specialist)  
Senior Mechanical Engineer, Caltrans (Supervisor)

## B. CLASSIFICATION CONSIDERATIONS

### SENIOR MECHANICAL ENGINEER, CALTRANS (SPECIALIST) SENIOR MECHANICAL ENGINEER, CALTRANS (SUPERVISOR)

#### BACKGROUND

1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.

The classes of Senior Mechanical Engineer, Caltrans (Specialist) and Senior Mechanical Engineer, Caltrans (Supervisor) are used in the Division of Engineering Services, Office of Electrical, Mechanical, Water and Waste Water Management. This office provides planning, technical support and review services and develops design standards for electrical, mechanical, water and wastewater systems.

This request will add the class of Mechanical Engineer, Range D in the promotional pattern of the Minimum Qualifications for the Senior Mechanical Engineer, Caltrans classes. These Senior classes require registration as a mechanical engineer by the California Board for Professional Engineers and Land Surveyors. Mechanical Engineer, Range D requires registration as a mechanical engineer. Currently, departmental employees in this class cannot compete in the examination for the Senior Mechanical Engineer, Caltrans classes because it was not included in the minimum qualifications for these classes when the classes were updated in April, 1999.

In addition, the class of Associate Mechanical Engineer, Caltrans is currently in the promotional pattern of the Minimum Qualifications for the Senior Mechanical Engineer, Caltrans classes. There are six incumbents in the class. None of them are registered as a mechanical engineer and so do not qualify to compete in the examination for the Senior Mechanical, Caltrans classes. They cannot be transferred to the Mechanical Engineer class at Range D because of the registration requirement at that range. They may be transferred in the future if they attain the required registration. Also, the salary for the Associate Mechanical Engineer, Caltrans class is greater than that of the other ranges in the Mechanical Engineer class. Because there are current incumbents, the Associate Mechanical Engineer, Caltrans class cannot be abolished at this time. An agreement was reached with the union (PECG) to not assign a Footnote 24 to the class at this time because it would disallow the Department from ever giving an examination for the class and would eliminate any potential promotional opportunities for current incumbents.

Other revisions have been made to the Senior Mechanical Engineer, Caltrans class specifications to update them.

#### CLASSIFICATION CONSIDERATIONS

2. What classification(s) does the subject class(es) report to?

Supervising Mechanical and Electrical Engineer

3. Will the subject class(es) supervise? If so, what class(es)?

Positions in the class of Senior Mechanical Engineer, Caltrans (Specialist) do not supervise.

Positions in the class of Senior Mechanical Engineer, Caltrans (Supervisor) supervise employees in the classes of Associate Mechanical Engineer, Caltrans, Mechanical Engineer and Mechanical Engineering Technician.

4. What are the specific duties of the subject class(es)?

Senior Mechanical Engineer, Caltrans (Specialist) – Under general direction, in a staff specialist capacity, to perform the more difficult and complex work in specialized areas of mechanical engineering as applied to transportation systems.

Senior Mechanical Engineer, Caltrans (Supervisor) – Under direction, to supervise mechanical engineering work

involved in the design, construction, and maintenance of storm drainage pumping plants, sewage lift stations, vehicular tunnels, movable bridges, roadside rests, highway maintenance stations, toll plazas, truck weigh and inspection stations, and other transportation related system.

5. What is the decision-making responsibility of the subject class(es)?

N/A

6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)

N/A

7. What are the analytical requirements expected of incumbents in the subject class(es)?

N/A

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

N/A

#### NEED FOR NEW CLASS (if necessary)

9. For New classes only: what existing classes were considered and why were they not appropriate?

N/A

#### MINIMUM QUALIFICATIONS

10. What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)

Senior Mechanical Engineer, Caltrans (Specialist)  
Senior Mechanical Engineer, Caltrans (Supervisor)

Possession of a valid certification of registration as a Mechanical Engineer issued by the California Board of ~~Registration~~ for Professional Engineers and Land Surveyors. (Candidates who submit proof that they have applied for registration will be admitted to the examination, but must possess a valid certificate of registration to be appointed).  
and

Either I

Experience: One year of experience performing the duties of an Associate Mechanical Engineer, Caltrans or Mechanical Engineer, Range D in the California State Service.

Or II

Experience: Five years of professional mechanical engineering experience, at least two years of which shall have been in design, construction and maintenance work in several of the following fields: drainage pumping ~~and plants~~, sewage lift stations, vehicular tunnel ventilation systems, movable bridge machinery, roadside rests, ~~and~~ highway maintenance stations, ~~water well and water supply systems~~, solar heating systems, and heating, ventilating, and air conditioning. (The two years of specialized experience must be comparable in level of responsibility to that of an Associate Mechanical Engineer, Caltrans, or Mechanical Engineer, Range D, in California state service.)

PROBATIONARY PERIOD

☐ Six Months

11. If a probationary period other than six months is proposed, what is the rationale?

N/A

STATUS CONSIDERATIONS (see additional information in Part D).

12. What is the impact on current incumbents?

None.

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

N/A

CONSULTED WITH

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Susanne Paradis, Department of Transportation  
Robb Stott, Department of Transportation  
Steve Schoff, Department of Transportation

**CALIFORNIA STATE PERSONNEL BOARD****SPECIFICATION**

Schematic Code: GM25  
Class Code: 3001  
Established: 2/1/84  
Revised: 4/6/99  
Title Changed: 1/31/89

SENIOR MECHANICAL ENGINEER, CALTRANS (SUPERVISOR)DEFINITION

Under direction, to supervise mechanical engineering ~~design, estimating, and inspection~~ work involved in the design, construction, and maintenance of storm drainage pumping plants, ~~and~~ sewage lift stations, vehicular tunnels, movable bridges, roadside rests, highway maintenance stations, toll plazas, truck weigh and inspection stations, ~~water well and water supply systems, solar heating, and~~ other transportation-related facilities; and to do other related work.

TYPICAL TASKS

Plans, organizes, assigns, and checks work; gives instruction and assistance, evaluates performance, and makes technical decisions in connection with the supervision of the work of a group of mechanical engineers engaged in the design and preparation of plans, specifications, and estimates for transportation-related facilities, including drainage pumping ~~and~~ plants, sewage lift stations, vehicular tunnel ventilation systems, movable bridge machinery, roadside rests, highway maintenance stations, ~~water well and water supply systems, solar heating systems, heating, ventilating, and air conditioning and~~ refrigeration and plumbing; writes technical specifications; reviews and supervises the checking of plans, designs, and quantities; supervises and performs field tests for final acceptance of mechanical equipment; supervises construction and maintenance inspections; reviews reports covering installation, repair, and recommended improvements to highway mechanical systems; coordinates the work of engineers and contractors; confers with the manufacturers' agents and contractors regarding acceptability of equipment; dictates correspondence; and prepares reports.

MINIMUM QUALIFICATIONS

Possession of a valid certificate of registration as a Mechanical Engineer issued by the California Board ~~of Registration~~ for Professional Engineers and Land Surveyors. (Candidates who submit proof that they have applied for registration will be admitted to the examination, but must possess a valid certificate of registration to be appointed.)

and

Either I

Experience: One year of experience performing the duties of an Associate Mechanical Engineer, Caltrans, or Mechanical Engineer, Range D, in the California state service.

Or II

Experience: Five years of professional mechanical engineering experience, at least two years of which shall have been in design, construction, and maintenance work in several of the following fields: drainage pumping ~~and~~ plants, sewage lift stations, vehicular tunnel ventilation systems, movable bridge machinery, roadside rests, ~~and~~ highway maintenance stations; ~~water well and water supply systems~~, solar heating systems, ~~and~~ heating, ventilating, and air conditioning. (The two years of specialized experience must be comparable in level of responsibility to that of an Associate Mechanical Engineer, Caltrans, or Mechanical Engineer, Range D, in the California state service.)

KNOWLEDGE AND ABILITIES

Knowledge of: Designing and supervising the preparation of plans, specifications, and estimates for the mechanical systems of transportation-related facilities; mechanical theory and practice; mechanical equipment; various codes, safety orders, and regulations governing the design and installation of mechanical equipment; materials and maintenance of mechanical installations; principles of effective supervision; a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment; and planning and supervising the work of others.

Ability to: Supervise the preparation of plans, specifications, and estimates for the mechanical systems of transportation-related facilities; plan and supervise the work of others; direct or make construction and maintenance inspections; check drawings and specifications; establish and maintain cooperative relations with those contacted in the work; analyze situations and adopt an effective course of action; ~~dictate~~ prepare correspondence and ~~prepare~~ reports; and promote equal opportunity in employment and promotion, and maintain a work environment that is free of discrimination and harassment.

# CALIFORNIA STATE PERSONNEL BOARD

## SPECIFICATION

Schematic Code: GM20  
 Class Code: 2178  
 Established: 1/31/89  
 Revised: 4/6/99  
 Title Changed: --

### SENIOR MECHANICAL ENGINEER, CALTRANS (SPECIALIST)

#### DEFINITION

Under general direction, in a staff specialist capacity, to perform the more difficult and complex work in specialized areas of mechanical engineering ~~such as mechanical heating, ventilating and air conditioning (HVAC), and water well and water systems~~ as applied to transportation systems; and to do other related work.

#### TYPICAL TASKS

Evaluates, develops, and implements departmental policies related to the design, construction, and maintenance of mechanical systems for transportation facilities; performs difficult and complex work on specialized mechanical engineering projects or research studies; writes technical specifications; performs field tests for final acceptance of equipment; represents the Department on complex special assignments such as research studies; provides training and consultation to Headquarters and district engineers on specialized mechanical engineering problems; attends and conducts meetings with outside agencies and the general public concerning California policy and design procedures; coordinates the work of engineers and contractors; confers with manufacturers' agents and contractors regarding acceptability of equipment; dictates correspondence; and prepares reports.

#### MINIMUM QUALIFICATIONS

Possession of a valid certificate of registration as a Mechanical Engineer issued by the California Board ~~of Registration~~ for Professional Engineers and Land Surveyors. (Candidates who submit proof that they have applied for registration will be admitted to the examination, but must possess a valid certificate of registration to be appointed.)

and  
Either I

Experience: One year of experience performing the duties of an Associate Mechanical Engineer, Caltrans, or Mechanical Engineer, Range D, in the California state service.

Or II

Experience: Five years of professional mechanical engineering experience, at least two years of which shall have been in design, construction, and maintenance work in several of the following fields: drainage pumping ~~and~~ plants, sewage lift stations, ~~vehicular tunnel~~

ventilation systems, movable bridge machinery, roadside rests, ~~and~~ highway maintenance stations, ~~water well and water supply systems,~~ solar heating systems, ~~and~~ heating, ventilating, and air conditioning. (The two years of specialized experience must be comparable in level of responsibility to that of an Associate Mechanical Engineer, Caltrans, or Mechanical Engineer, Range D, in the California state service.)

#### KNOWLEDGE AND ABILITIES

Knowledge of: The preparation of plans, specifications, and estimates for the mechanical systems of transportation-related facilities; mechanical theory and practice; mechanical equipment; power distribution and control systems; various codes, safety orders, and regulations governing the design and installation of mechanical equipment; and materials and maintenance of mechanical installations.

Ability to: Prepare plans, specifications, and estimates for the mechanical systems of transportation-related facilities; coordinate the work of others; make construction and maintenance inspections; check drawings and specifications; establish and maintain cooperative relations with those contacted in the work; analyze situations and adopt an effective course of action; ~~dictate~~ and prepare correspondence; ~~prepare~~ and reports.

**TO:** STATE PERSONNEL BOARD

**FROM:** Phyllis Moore  
Personnel Management Analyst  
Department of Personnel Administration

Debra Thompsen  
Personnel Program Manager I  
Department of Personnel Administration

**REVIEWED BY:** Josie Fernandez  
Personnel Program Manager II  
Department of Personnel Administration

**SUBJECT:** Proposed establishment of a new class series to be titled Assistant Inspector General, Bureau of Independent Review; including classes of Special Assistant Inspector General, Bureau of Independent Review; Senior Assistant Inspector General, Bureau of Independent Review; and Chief Assistant Inspector General, Bureau of Independent Review; each class with a 12-month probationary period.

**SUMMARY OF ISSUES:**

The Office of the Inspector General (OIG) proposes establishment of a new civil service class series to assume the duties presently being performed by exempt appointees within the Bureau of Independent Review (BIR) which include conducting oversight and monitoring of internal investigations and other activities within the California Department of Corrections and Rehabilitation. To respond to the concerns of the Administration and the federal court, it was necessary for the OIG to immediately fill positions and begin programmatic work in this newly mandated arena. These positions within the OIG have a unique role of both legal and peace officer responsibilities. Penal Code Section 830.2(j) states that "The Inspector General, pursuant to Section 6125, and the Chief Inspector General In Charge, the Senior Deputy Inspector General, the Deputy Inspector General, and those employees of the Inspector General as designated by the Inspector General, are peace officers, provided that the primary duty of these peace officers shall be conducting audits of investigatory practices and other audits, as well as conducting investigations, of the Department of Corrections, the Department of the Youth Authority, the Board of Prison Terms, the Youthful Offender Parole Board, or the Board of Corrections."

The OIG has determined that a civil service structure is necessary to ensure consistency and stability of the program role. The proposed structure includes a working level (Special Assistant Inspector General, BIR), a supervisory level (Senior Assistant Inspector General, BIR), and a division chief level (Chief Assistant Inspector General, BIR); allows for both open and promotional candidates to participate in examinations; and includes validated knowledge and abilities which will fairly and equitably distinguish between competitors in the examination process.

#### **CONSULTED WITH:**

Brett Morgan, Office of the Inspector General  
 Dave Shaw, Office of the Inspector General  
 Debi Neeley, Office of the Inspector General  
 Pouneh Tehrani, Office of the Inspector General  
 Phil Kalstrom, Office of the Inspector General (retired)  
 Jennifer Roche, State Personnel Board  
 Karen Coffee, State Personnel Board

#### **BACKGROUND AND CONSIDERATIONS:**

Please see the attached.

A courtesy copy of this proposal has been shared with the Association of California State Supervisors, California Association of Managers and Supervisors and the California Attorneys, Administrative Law Judges and Hearing Officers in State Employment (CASE).

#### **RECOMMENDATIONS:**

It is recommended that the following classes be established; the proposed Assistant Inspector General, Bureau of Independent Review series specification including specifications for the classes as shown in the current calendar be adopted; and the probationary period be as specified below:

| <u>Class</u>   | <u>Probationary<br/>Period</u> |
|--|--------------------------------|
| Special Assistant Inspector General,<br>Bureau of Independent Review | 12 months                      |
| Senior Assistant Inspector General,<br>Bureau of Independent Review  | 12 months                      |
| Chief Assistant Inspector General,<br>Bureau of Independent Review   | 12 months                      |

## PART B. CLASSIFICATION CONSIDERATIONS

### BACKGROUND

**1. Provide some historical perspective about the organizational setting of the subject classes and the needs that this request addresses.**

The Bureau of Independent Review (BIR) was established as an outcome of a federal district court decision regarding a civil rights lawsuit filed by a group of inmates at Pelican Bay State Prison. This case was originally cited as *Madrid v. Gomez* (now *Madrid v. Tilton*). In response to this suit, the federal court appointed a Special Master experienced in prison administration to determine an appropriate remedy for the issues brought by the suit, and monitor the implementation of that remedy. The Special Master recommended to the court that the State follow a system developed and implemented by Los Angeles County to ensure the integrity of the Los Angeles County Sheriff's Office in its conduct of internal investigations.

The model recommended by the Special Master was developed for the Los Angeles County Sheriff's Office (LACSO) and provides for civilian oversight as a means to improve the quality and objectivity of internal investigations conducted by the LACSO. This is an independent body assigned to work with, but not work for, the LACSO. With both Sheriff's Office and Board of Supervisor's support, the Office of Independent Review was established and staffed with full-time civil rights and criminal law attorneys, who were charged with the responsibility to oversee, monitor and report on all internal investigations conducted within the LACSO.

SB 1400, Romero, was signed in July 2004, and the State's Bureau of Independent Review (BIR) was established within the Office of the Inspector General (OIG). In order to meet the court's mandates in a timely manner, the Administration granted the OIG use of thirteen exempt appointments to be used to staff the BIR. As the program function is permanent and ongoing, and as recommended by the Special Master to the court, it is in management's interest to develop a civil service classification structure to continue programmatic efforts and provide status rights to BIR employees.

This proposal requests establishment of a three-level classification series to be utilized within the BIR to conduct the oversight and monitoring of internal investigations and other activities within the Department of Corrections and Rehabilitation (CDCR) as requested by the federal court and supported by the Administration.

## **CLASSIFICATION CONSIDERATIONS**

### **2. What classifications do the subject classes report to?**

The Chief Assistant Inspector General, BIR reports to the Inspector General and Chief Deputy Inspector General. Incumbents in the Senior Assistant Inspector General, BIR, and Special Assistant Inspector General, BIR, classes report to the Chief Assistant Inspector General position.

### **3. Will the subject classes supervise? If so, what classes?**

The Chief Assistant Inspector General, BIR will provide managerial oversight and policy direction for all subordinate BIR staff on a statewide basis. The Senior Assistant Inspectors General, BIR will supervise Special Assistant Inspectors General, BIR, in headquarters and field offices, as well as incumbents in the Deputy Inspector General class and incumbents in general office support classes.

### **4. What are the specific duties of the subject classes?**

The Chief Assistant Inspector General, BIR will function as the Division Chief and assume all responsibilities associated with administrative, technical and policy setting functions for the BIR. The incumbent will establish all program strategies and initiatives as well as manage all investigative program components. The Chief Assistant Inspector General, BIR will also serve as advisor to the Inspector General, Chief Deputy Inspector General, Governor, Legislature, and federal court, and provide comprehensive reports for the general public regarding investigations conducted within the CDCR.

The Senior Assistant Inspectors General, BIR, will function as regional office supervisors (Sacramento headquarters, Rancho Cordova, Bakersfield and Rancho Cucamonga) and provide full supervisory, administrative and technical support to subordinate staff, while personally overseeing the most complex and sensitive investigations.

Special Assistant Inspectors General, BIR, perform a full range of independent oversight and monitoring activities related to CDCR internal investigations. Incumbents will monitor internal affairs investigations conducted by CDCR staff and provide technical assistance, as well as prepare synopses of cases and provide an assessment of the quality of the investigative techniques and procedures utilized by CDCR investigators.

All BIR incumbents perform a full range of peace officer duties and responsibilities in the accomplishment of their assignments.

Peace Officer duties include, but are not necessarily limited to:

- Review and help develop investigative strategies; work with and create sensitive and confidential law enforcement and intelligence information and reports; and provide training and technical assistance in the latest enforcement and investigation techniques to peace officers.
- Perform their duties unescorted within their assigned correctional institution; respond at all hours to critical incidents at institutions, including responding to riots, shootings, stabbings and hostage situations; wear triple-threat body armor inside and outside of the institutions for personal protection; daily exposure to potential physical harm while working at prisons with other peace officers (e.g., gassing, assault, etc.); and use defensive tactics in the event of an assault by inmates.
- Be present during interviews of inmates and paroles who may be mentally unstable or have a history of acting in a dangerous manner toward institutional personnel; be present during interview of correctional officers in relation to incidents under investigation; and participate in hostage negotiations with inmates holding hostages.
- Arrest, use force as necessary, or defend themselves in dealing with uncooperative and/or armed suspects and other individuals; respond to scene of officer involved shootings in community when Parole officers are involved; and use weapons in the event of a riot.
- Accompany and monitor Investigative Services officers when processing criminal evidence, conducting criminal interviews, and processing gruesome crime scenes; accompany and monitor the service of criminal search warrants, as well as consent searches in criminal cases; observe and monitor detentions of persons by internal affairs investigators; work with federal, state and local law enforcement officers; assist and monitor the presentation of criminal cases to DA's for filing; participate in covert surveillance operations with Office of Internal Affairs agents of narcotics trafficking and other criminal activity; and observe and monitor arrests by internal affairs.

##### **5. What is the decision-making responsibility of the subject classes?**

The Chief Assistant Inspector General, BIR functions as the Division Chief and assumes all administrative, technical and policy-related responsibilities. As the Division Chief of BIR, the incumbent advises the Inspector General, Chief Deputy Inspector General, Governor, Legislature, the federal court and the public regarding internal affairs investigations within the CDCR.

Senior Assistant Inspectors General, BIR incumbents function as regional office or headquarters office supervisors, personally overseeing the most complex CDCR internal investigations. Incumbents review, evaluate and assign all incoming internal investigations; confer with CDCR staff regarding investigation plans and strategies; confer with a variety of CDCR staff regarding administrative discipline cases; determine correct statute of limitations for all cases; provide legal advice and assistance to both OIG and CDCR staff; prepare reports for the federal court and the general public; and perform all associated administrative duties aligned with general supervision of a field office and its staff.

Special Assistant Inspectors General, BIR incumbents perform a full range of oversight and monitoring duties related to investigations conducted by staff of the CDCR. Incumbents monitor internal affairs investigations of CDCR activities and provide technical assistance in the conduct of investigations, prosecutions and disciplinary proceedings, and prepare reports and conduct special studies as requested.

**6. What would be the consequence of error if incumbents in the subject classes did not perform their job? (Program problems, lost funding, public safety compromised, etc.)**

The consequence of error for all classes within the proposed series is extremely high as employee misconduct within the CDCR has a myriad of legal and political implications. Failure to appropriately monitor CDCR investigations, failure to investigate allegations of misconduct, and failure to seek progressive discipline could result in civil rights violations and/or other negative results due to faulty investigations. These could result in lawsuits against the State of California.

Additionally, the federal court could impose sanctions against the CDCR and the Administration if mandated changes are not implemented as ordered by the court. Such censure could result in the Administration's authority being diminished or removed from CDCR control, increased costs for the correctional system within California, political embarrassment for the Administration and a lessening of public trust in the State's correctional system. In addition to monetary sanctions, the court could impose a receiver over the CDCR employee discipline process.

**7. What are the analytical requirements expected of incumbents in the subject classes?**

Incumbents at all levels within this class series must be able to understand and apply all legal and administrative processes related to the conduct of fair and impartial internal investigations, and oversee the application of appropriate disciplinary action for employee misconduct. Incumbents must possess technical knowledge of rules of evidence, constitutional rights related to laws of arrest, search and seizure, and service of legal processes; investigative strategies and techniques; use of warrants, interrogations, surveillance, evidence preservation and gathering, crime scene processing, forensics and interviewing techniques. Incumbents must be able to consider the facts of a case in a fair and unbiased manner and communicate effectively with a variety of persons involved in

investigations and the disciplinary process; develop cooperative working relationships and prepare reports in a clear and concise manner.

**8. What are the purpose, type and level of contacts incumbents in the subject classes make?**

Incumbents at all class levels have contact with CDCR Special Agents, human resource and labor relations staff, legal office staff, prison administrators, union representatives, and Vertical Advocates (Staff Counsel positions), who are members of the California State Bar, in the conduct of internal affairs investigations within the CDCR. Incumbents also have contact with local District Attorneys' staff and staff of the Office of the Attorney General for the filing of charges in criminal matters against CDCR staff.

At the highest level, the Chief Assistant Inspector General, BIR will have contact with the Governor's Office, Legislature, CDCR executive management, the media and other public interest organization representatives.

**NEED FOR NEW CLASS**

**9. For new classes only: what existing classes were considered and why were they not appropriate?**

Special Agent, CDCR classes were reviewed initially, as these are the classes utilized to conduct investigations within CDCR. However, none of the classes within the Special Agent, CDCR series require a legal background or membership in the California State Bar.

The classes within the Staff Counsel servicewide class series were reviewed, as were the Deputy Attorney General classes. Neither existing class series was considered viable based upon Minimum Qualifications and need for peace officer status. Also, the Deputy Attorney General class series is developed for, and used solely by, the Office of the Attorney General. These classifications combine legal and investigative knowledge and experience required to perform the unique oversight and monitoring role of the Office of the Inspector General.

A variety of other State departments have their own unique legal classes that emphasize the programmatic functions within the specific department. None of the classes reviewed provide a fully qualified candidate pool for the work to be performed by incumbents of the Office of the Inspector General based upon minimum qualifications and knowledge and abilities specific to the mission of the Office of the Inspector General.

Absent viable use of any existing class series, it was determined that the best course was to establish a legal classification series unique to the Office of the Inspector General.

## MINIMUM QUALIFICATIONS

### **10. What are the proposed or current Minimum Qualifications of the subject classes and why are they appropriate? (Include inside and outside experience patterns.)**

To aid in the development of the minimum qualifications for each of the proposed classes, a job analysis was conducted that included the participation of all appointees within the class series at the time. In addition, the total amount of legal experience of each participant was gathered and utilized as a basis of comparison for the development of the required amounts of legal experience for each class. The following discusses requirements for admittance to examinations for each of the proposed classes.

It is proposed that the minimum requirements for each class within the Assistant Inspector General, BIR class series require active membership in the California State Bar to be considered for appointment. This qualification requirement is based on the court's recommendation and is patterned after a similar oversight program established within the Los Angeles County Sheriff's Department. Membership in good standing with the California State Bar demonstrates both technical understanding of legal processes and procedures as well as familiarity with the requirements of due process for anyone accused of committing a violation of the law. Such knowledge and understanding is essential for performance of the tasks of all classes within the proposed class series.

The Special Assistant Inspector General, BIR class will require either two years within the California State service performing duties comparable to Staff Counsel III or eight or more years in the private practice of law or in a legal capacity in the federal government service or in the service of a California city or county in a position which oversees or provides broad oversight to legal investigative activities.

The Senior Assistant Inspector General, BIR class will require either two years within the California State service performing duties of a Special Assistant Inspector General, BIR; or four years of experience in the California State service performing duties comparable to Staff Counsel III; or ten or more years in the private practice of law, four years of which must have been performing duties in a supervisory position equivalent in level of responsibility to that of a Staff Counsel III Supervisor.

The proposed minimum qualifications for this class were developed to allow a promotional opportunity for working level incumbents within the BIR program, as well as other State attorneys working at the first specialist level. A two year promotional requirement from working level to first supervisory level is fairly common in class series across State service. The total number of years of State experience equates to the same (ten years) for both patterns

The Chief Assistant Inspector General, BIR will require ten or more years in the practice of law or in a legal capacity within the federal government or in the service of a California city or county, of which at least three years must have been performing duties which include planning, organizing, directing and coordinating the work of a large law office or governmental agency, or the work of a group of attorneys practicing in specialized fields of law, or the work of a group of attorneys that provides broad oversight to legal investigative activities.

As the concept of this class is that of a division chief, broad and extensive managerial experience is critical to job success. The level and type of managerial experience, whether within or outside of a governmental setting, is of utmost importance and the amount of time performing managerial duties is sufficient to allow for experience with multiple budget and purchasing cycles, recruitment and hiring of a reasonable number of subordinate staff, several years of employee development recommendation, and other types of tasks that are managerial in nature and critical to program policy development and success.

To be successful as the Chief Assistant Inspector General, BIR will require that the incumbent have a legal, law enforcement, and administrative background. In our experience, there are insufficient numbers of civil service employees who meet all of the above criteria.

Each of the Minimum Qualifications patterns will have an early entry feature which will allow candidates who do not possess the full amount of relevant experience to participate in examinations, but not be eligible for appointment until the required period of experience is reached. All of the requirements are appropriate as they ensure the possession of a well established legal understanding of regulations and processes within legal settings; provide a reasonable candidate pool, both within and outside of California State government, and are reasonably comparable in time and experience to established legal classes within civil service.

## **PROBATIONARY PERIOD**

### **11. If a probationary period other than six months is proposed, what is the rationale?**

It is proposed that the Special Assistant Inspector General, BIR and Senior Assistant Inspector General, BIR classes be established with 12-month probationary periods. This period of time is comparable to other professional working and supervisory classes within State service.

It is proposed that the Chief Assistant Inspector General, BIR class be established with a 12-month probationary period. This is comparable to other managerial designated classes within State service.

**STATUS CONSIDERATIONS****12. What is the impact on current incumbents?**

All current incumbents are exempt appointees; thus have no status or other rights that will be impacted by the establishment of the proposed classification series.

**13. Will current employees move by examination, transfer, reallocation, split-off, etc? Explain rationale.**

As current incumbents are exempt appointees, it will be necessary for all incumbents to participate, and be successful, in open civil service examinations.

**CONSULTED WITH****14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.**

Marie M. Powell, Consultant, Cooperative Personnel Services.

# CALIFORNIA STATE PERSONNEL BOARD

## SPECIFICATION

ASSISTANT INSPECTOR GENERAL,  
BUREAU OF INDEPENDENT REVIEW  
(Established \_\_\_\_\_)

### SCOPE

This series specification describes three classifications used by the Office of the Inspector General within the Bureau of Independent Review to ensure that internal affairs investigations and disciplinary processes conducted by the California Department of Corrections and Rehabilitation (CDCR) are thorough, professional, and timely. Incumbents in these classes oversee and monitor the investigation of activities of employee misconduct within the California Department of Corrections and Rehabilitation and advise the Inspector General, Governor, Legislature, Federal Courts, and the public on the adequacy of internal affairs investigations, reform efforts, and the results of all special investigations. Assistant Inspectors General are peace officers whose authority extends to any place in the state and are active members of the California State Bar.

| <u>Schem</u><br><u>Code</u> | <u>Class</u><br><u>Code</u> | <u>Class</u>  |
|-----------------------------|-----------------------------|---|
| XF10                        | 6039                        | Special Assistant Inspector General, Bureau of Independent Review |
| XF11                        | 6040                        | Senior Assistant Inspector General, Bureau of Independent Review  |
| XF12                        | 6041                        | Chief Assistant Inspector General, Bureau of Independent Review   |

### DEFINITION OF SERIES

The concept of the classes within this series is to ensure that the internal affairs investigations conducted by CDCR are conducted thoroughly, professionally and timely, and that a legal point of view is included whenever CDCR undertakes an investigation, prepares to take an adverse action against an employee, prepares to take criminal action against an employee or inmate, and that investigative and legal activities are conducted in a manner which will ensure that all rights and due process are made available to all included within the scope of the investigation.

Incumbents oversee and monitor the conduct of investigations by the CDCR related to employee misconduct, prosecution, and subsequent employee discipline, ensuring that investigations are completed in a fair, just, thorough, and professional manner. Incumbents oversee the progress of internal affairs investigations of CDCR employees; consult with CDCR Special Agents regarding the progress of active investigations; assess whether CDCR employees have accurately

Assistant Inspectors General, Bureau of Independent Review, Series -2-

determined the correct statute of limitations for all cases; confer with CDCR Special Agents regarding investigative strategies; complete case monitoring reports, special reports, letters, or other written communications regarding ongoing monitoring of cases; input data into an electronic case monitoring system; identify potential legal issues and/or concerns regarding cases; read and analyze reports of complaints or employee misconduct; prepare written comments to be incorporated into semi-annual reports on the progress of internal affairs matters within CDCR; prepare an accurate synopsis of each case and provide an assessment as to the quality of the investigation, the appropriateness of any discipline, and the degree to which the hiring authority agreed with the recommendations made; schedule progress meetings with CDCR Special Agents and other supervisorial staff; discuss evidence and proposed discipline against charged employees with CDCR Vertical Advocates; evaluate reports of employee misconduct for presence of factors that indicate real time monitoring is appropriate; liaison with a variety of CDCR staff, outside law enforcement agencies, and criminal prosecutors; review reports of incidents that have occurred within CDCR; assume the role of primary responder to critical incidents; read and analyze reports of investigations conducted by a variety of investigative entities, including outside law enforcement agencies; conduct special reviews relating to critical incidents or important situations as directed; ensure that written allegations against employees accurately reflect the employee's misconduct; respond to scenes of critical incidents involving CDCR employees; meet with the hiring authority to discuss investigation and potential settlement of cases; read and analyze daily advance sheets; assist in identifying potential witnesses and evidence; meet with CDCR Vertical Advocate regarding progress of investigation; draft reports relating to special reviews; attend and observe subject/witness interviews; attend Skelly hearings and provide input regarding Skelly recommendations; consult with local prosecutors regarding criminal investigations; observe disciplinary proceedings before the State Personnel Board; attend prosecution hearings in Superior Court; and perform other related duties.

Incumbents oversee and monitor CDCR internal investigators in the conduct of on-site, real-time responses to complaints, or critical incidents at institutions harboring dangerous criminal populations. Assistant Inspectors General monitor peace officers and are required to review and help develop investigative strategies; are present during interviews of inmates and parolees who may be mentally unstable or have a history of acting in a dangerous manner toward institutional personnel; work with and create sensitive and confidential law enforcement and intelligence information and reports; be present during interviews of correctional officers in relation to incidents under investigation; accompany and monitor investigative services officers when processing criminal evidence, conducting criminal interviews, and processing gruesome crime scenes; work with federal, state and local law enforcement officers; perform duties unescorted within assigned correctional institutions; monitor the presentation of criminal cases to DA's for filing; respond at all hours to critical

Assistant Inspectors General, Bureau of Independent Review, Series -3-

incidents at institutions, including responding to riots, shootings, stabbings and hostage situations; respond to emergency situations at institutions in an expedited manner; accompany and monitor the service of criminal search warrants, as well as consent searches in criminal cases; provide training and technical assistance in the latest enforcement and investigation techniques to peace officers; participate in covert surveillance operations with Office of Internal Affairs agents of narcotics trafficking and other criminal activity; daily exposure to potential physical harm while working at prisons with other peace officers (e.g., gassing, assault, etc.); use defensive tactics in the event of an assault by inmates; observe and monitor arrests by internal affairs agents; wear triple-threat body armor inside and outside of the institutions for personal protection; observe and monitor detentions of persons by internal affairs investigators; assist in the drafting and presentation of criminal warrants to judges; respond to scene of officer involved shootings in local communities when parole officers are involved; arrest, use force as necessary, or defend themselves in dealing with uncooperative and/or armed suspects and other individuals; assist other law enforcement agencies to conduct complex investigations; view crime scene and confer with CDCR and outside law enforcement agencies regarding deadly force reviews; use weapons in the event of a riot; participate in hostage negotiations with inmates holding hostages; use first aid in the event of medical emergencies while at an institution or traveling to and from an institution; monitor and oversee high risk parolee apprehensions conducted by CDCR parole regions; work with riot agents and other hazardous chemicals; and testify in criminal court regarding observations at crime scenes.

These potentially critical incidents could bring harm or danger, and could place Assistant Inspectors General in a position where they would need to defend themselves.

#### DEFINITION OF LEVELS

##### SPECIAL ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Under general direction, incumbents perform a full range of independent oversight and monitoring activities related to investigations conducted by the CDCR. Incumbents oversee and monitor investigations of CDCR activities and staff members and provide technical assistance to the hiring authority and other law enforcement agencies in the conduct of investigations, prosecutions, and disciplinary proceedings; conduct audits of investigatory practices and other audits; prepare reports and conduct special studies as requested. In the conduct of these duties, incumbents interpret and apply laws, court decisions, and other legal authorities; monitor the preparation of and prepare case memoranda, digests, summaries, and reports; monitor the seizure and evaluation of evidence; attend witness interviews; perform legal research; discuss with CDCR management and investigative and legal staff legal issues arising from

## Assistant Inspectors General, Bureau of Independent Review, Series -4-

internal affairs investigations, and the legal effects of rules, regulations, proposed legislation, statutory law, court decisions, and administrative actions; monitor and offer recommendations in settlement conferences, and evaluate the weight of evidence. Incumbents perform a full range of peace officer duties and responsibilities in the accomplishment of their assignments.

## SENIOR ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Under general direction, incumbents function as regional office or headquarters supervisors and oversee the most complex or sensitive CDCR employee misconduct investigations. Incumbents review, evaluate, and assign all incoming internal affairs investigations to Bureau of Independent Review staff; confer with CDCR Special Agents regarding investigation plans, strategies, and progress of cases being monitored; confer with legal staff, the hiring authority, and employee relations officers regarding administrative discipline cases being monitored; assign specific job tasks, monitor workload, and evaluate staff performance; take or effectively recommend corrective and disciplinary action of subordinates; remain on call for immediate response for any major incident to provide on-site observation and consultation; assess whether CDCR employees have accurately determined the correct statute of limitations for all cases; conduct audits of investigatory practices and other audits; oversee and review all Inspector General administrative functions, including but not limited to, the purchase of equipment, facilities, supplies, mileage and expense claims, and timesheets; assist in the preparation of semi-annual and annual Bureau of Independent Review reports; prepare reports for Federal Court on cases monitored by themselves or by staff; provide legal advice and assistance to the Inspector General; research legal issues; conduct staff meetings; function as liaison with local District Attorney's offices to assist and facilitate the filing of criminal cases arising from incidents or investigations; and act as liaison with outside agencies connected to inmate rights groups, citizens advisory committees, and others with interest in the investigations. Incumbents perform a full range of peace officer duties and responsibilities in the accomplishment of their assignments.

## CHIEF ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Under administrative direction, the incumbent functions as a Division Chief and is responsible for all administrative, technical, and policy-making directives for the Bureau of Independent Review. The incumbent establishes program strategies and initiatives; manages the investigative program components; and advises the Inspector General, Governor, Legislature, the Federal Court, and the public regarding internal affairs investigations, reform efforts, and results. Incumbents perform a full range of peace officer duties and responsibilities in the accomplishment of their assignments.

Assistant Inspectors General, Bureau of Independent Review, Series -5-

MINIMUM QUALIFICATIONS

ALL LEVELS:

All applicants must possess active membership in the California State Bar in order to be considered eligible for appointment.

SPECIAL ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Either I

Two years of experience in the California state service performing duties comparable in level to those of a Staff Counsel III (Specialist) or (Supervisor). (Applicants who have completed one year and six months of the required experience comparable to one of the Staff Counsel III classes will be admitted to the examination, but must complete two years of such experience before they will be considered eligible for appointment.)

Or II

Broad and extensive experience (eight or more years) in the private practice of law\*, or in a legal capacity in the Federal service, or in the service of a California city or county, providing assessment as to the quality of legal investigative work, the appropriateness of disciplinary charges, and making recommendations regarding the disposition of a variety of types of cases. At least two years of the required experience must have been performing duties equivalent in level of responsibility to that of Staff Counsel III in California State service.

(Applicants who have completed seven years and six months of the required experience will be admitted to the examination, but must complete eight years of such experience before they will be considered eligible for appointment.)

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\* Experience in the "practice of law" and "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

SENIOR ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Either I

## Assistant Inspectors General, Bureau of Independent Review, Series -6-

Two years of experience in the California state service performing the duties of a Special Assistant Inspector General, Bureau of Independent Review. (Applicants who have completed one year and six months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be considered eligible for appointment.)

Or II

Four years of experience in the California state service performing legal duties comparable in level of responsibility to that of a Staff Counsel III (Specialist) or (Supervisor). (Applicants who have completed three years and six months of the required experience comparable to one of the Staff Counsel III classes will be admitted to the examination, but must complete four years of such experience before they will be considered eligible for appointment.)

Or III

Broad and extensive experience (ten or more years) in the practice of law\*, at least four years of which must have been performing duties in a supervisory position equivalent in level of responsibility to that of a Staff Counsel III (Supervisor). (Applicants who have completed nine years and six months of the required experience will be admitted to the examination, but must complete ten years of such experience before they will be considered eligible for appointment.)

## CHIEF ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Broad and extensive experience (ten or more years) in the practice of law\*, or in a legal capacity in the Federal service, or in the service of a California city or county, at least three years of which must have been performing duties which have included responsibility for planning, organizing, directing, and coordinating the work of a large law office or governmental agency, or the work of a group of attorneys practicing in specialized fields of law, or the work of a group of attorneys that provides broad oversight to legal

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\* Experience in the "practice of law" and "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

investigative activities. (Applicants who have completed nine years and six months of the required experience will be admitted to the examination, but must complete ten years of such experience before they will be considered eligible for appointment.)

KNOWLEDGE AND ABILITIES

## ALL LEVELS:

Knowledge of: Rules of evidence; constitutional rights related to laws of arrest, search and seizure, and service of legal process; investigative strategies and techniques, including use of warrants, interrogations, surveillance, evidence preservations and gathering, crime scene processing, forensics, and interviewing; internal investigations, including administrative and criminal investigations; Public Safety Officers Procedural Bill of Rights Act; public employment law; computer programs and software related to word processing, database management, and email communications; interrogation laws and techniques; criminal law and procedures; peace officer training and techniques, including proper tactics regarding legal use of force; organizational structure and functions within CDCR; State and Federal civil rights laws and due process; use of administrative and prosecutorial immunity; and the organizational structure and functions of the California state government.

Ability to: Maintain confidentiality of official matters and preserve protected legal relationships and privileges; consider the facts of a case in a fair and unbiased manner; communicate effectively with a variety of persons contacted in the course of the work; conduct and review complex and sensitive investigations, both criminal and administrative; demonstrate initiative; develop cooperative working relationships with correctional employees, union representatives, employee relations officers, prison administration, Vertical Advocates, and investigators; prepare reports in a clear and concise manner; work independently; evaluate evidence; persuasively articulate arguments and/or conclusions based on sound logic and relevant facts; manage an extensive workload; critically analyze complex regulations and policies; work with a small team of attorneys and investigators with differing backgrounds and expertise; maintain management systems to ensure the quality and timeliness of work operations; and properly maintain and qualify with departmentally assigned firearms.

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\* Experience in the "practice of law" and "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

SENIOR ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW  
CHIEF ASSISTANT INSPECTOR GENERAL, BUREAU OF INDEPENDENT REVIEW

Knowledge of: In addition to the above, time management techniques; advocacy skills; personnel management and supervision techniques; a supervisor's or manager's responsibility for promoting equal

opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free from discrimination and harassment; program development and evaluation; principles, practices, and trends in public administration; and principles and practices of policy formulation and development.

Ability to: In addition to the above, exercise mature judgment; demonstrate leadership; build consensus; evaluate work products and staff performance; employ strong management skills to ensure the successful implementation of the Bureau's mission; recommend and implement steps for change; and effectively promote equal opportunity and maintain a work environment that is free of discrimination and harassment.

#### SPECIAL PERSONAL CHARACTERISTICS

All positions require incumbents to travel long distances by vehicle or by air; to remain away from home for extended periods of time; to work within a penal institution setting; to work long hours outside of the normal business day; and to remain on-call for 24-hour periods, including on weekends.

#### PEACE OFFICER STANDARDS

##### ALL LEVELS:

Citizenship Requirement: Pursuant to Government Code Section 1031 (a), in order to be a peace officer, a person must be either a U. S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179 (b), or Division 2.5,

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\* Experience in the "practice of law" and "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

Chapter 1, Article 4, Section 1772 (b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone (1) restricted from possessing, carrying, or having under his/her control a firearm pursuant to Penal Code Section 12021; or (2) convicted of a misdemeanor crime of domestic violence under Title 18, United States

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Code, Section 922 (g)(9); or (3) restricted under any other Federal or State law from possessing, carrying, or having under his/her control a firearm, is ineligible for appointment to any position in these classifications.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment. Persons who have previously undergone an Office of the Inspector General background investigation may be required to undergo an additional background investigation.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Drug Testing Requirement: Applicants for positions in these classes are required to pass a drug screening test. (The drug screening test will be waived for employees who are currently in a designated "sensitive" class for which drug testing is required under State Personnel Board Rule 213.)

Training Requirements: Under provisions of Penal Code Section 832, successful completion of a training course in laws of arrest, search and seizure, and in firearms and chemical agents is a requirement for permanent status in these classifications.

#### CLASS HISTORY

| <u>Class</u>   | <u>Date<br/>Established</u> | <u>Date<br/>Revised</u> | <u>Title<br/>Changed</u> |
|--|-----------------------------|-------------------------|--------------------------|
| Special Assistant Inspector General,<br>Bureau of Independent Review |                             |                         | --                       |
| Senior Assistant Inspector General,<br>Bureau of Independent Review  |                             |                         | --                       |
| Chief Assistant Inspector General,<br>Bureau of Independent Review   |                             |                         | --                       |

ccd/sks

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(Cal. 1/9/07)

**MEMO TO** : STATE PERSONNEL BOARD

**FROM** : KAREN COFFEE, Chief, Merit Employment and  
Technical Resources Division

**SUBJECT** : Staff Calendar Items for Board Information

**NONE PRESENTED**